

PERFORM 30a  
10/22/02**EMPLOYEE COMMENDATION RECORD**EMPLOYEE: L.M. Hartwell POSITION: SergeantSUPERVISOR: E.F. Gamble, Lt. DEPT: FireDATE OF COMMENDATION: January 23, 2003

REASON FOR COMMENDATION: (Description of performance or conduct - give specific facts, background information, dates and times)

Sergeant Hartwell is a 16½ year veteran with the Montgomery Fire Department assigned to Engine Company 16 for the past 12 months. During this time, Sgt. Hartwell's job performance has exceeded expectations. He has conducted himself professionally around the station.


E.F. Gamble, Lieutenant

Supervisor

January 23, 2003

Date

My signature indicates that the above matters were discussed with me on  
and that I received a copy of this form.

1-23-2003  
(Month Day Year)

Employee Signature

ATTACH ADDITIONAL SHEETS AS REQUIRED

Form 10 *10*

Submit in Triplicate

**CITY AND COUNTY OF MONTGOMERY  
PERSONNEL DEPARTMENT  
RECOMMENDATION FOR PERSONNEL ACTION**

Department / Division MONTGOMERY FIRE DEPARTMENT Date 1-31-02  
 Name of Employee LEE M. HARTWELL Effective Date 2-01-02  
 Social Security # 421 98 4645 Classification FF Engineer Job Code 8013

Item 2 requires the signature of both department heads.

Items 2, 3, 4, 5, 6, 15 require approval of Personnel Director before action is official. Items 3, 4, 5, 7 must have copy of letter to employee attached. Item 8 should have copy of letter of resignation.

- |  |  |
|--|--|
| 1. Transfer within department..... ( )     | 9. Retirement..... ( )                           |
| 2. Transfer to another department..... ( ) | 10. Separation by death..... ( )                 |
| 3. Demotion..... ( )                       | 11. Expiration of Temporary Appointment..... ( ) |
| 4. Layoff..... ( )                         | 12. Return LWOP..... ( )                         |
| 5. Dismissal..... ( )                      | 13. Return from Military Leave..... ( )          |
| 6. Leave without Pay..... ( )              | 14. Change of Name..... ( )                      |
| 7. Suspension..... ( )                     | 15. Change in Salary..... (XXX)                  |
| 8. Resignation..... ( )                    | 16. <u>Job Code</u> <u>X</u>                     |

ITEMS AFFECTED BY ACTION	FROM	TO
Department (Items 1 & 2)		
Classification & Salary (Items 1, 2, 3)		
Dates (Items 6 & 7)		
Name (Item 14)		
Amount (Item 15)	<u>34.981</u> <u>1345.42 - 11.6655 hr.</u>	<u>37.339</u> <u>1436.12 - 12.4519 hr.</u>
Other (Item 16)	<u>8013</u>	<u>8011</u>

Funds are available *C. [Signature]* Date JAN 25 2002

Explanation and remarks (Give reason for any action which is not self-explanatory)

PAY RANGE ADJUSTMENT DUE TO NEW PAY PLAN.

(Signed) 1. *Bobby N. [Signature]* Date 29  
 Appointing Authority  
 2. *[Signature]* Date 1-31-02  
John W. McKee, Fire Chief

**CITY AND COUNTY OF MONTGOMERY  
 PERSONNEL DEPARTMENT  
 RECOMMENDATION FOR PERSONNEL ACTION**

JUL 25 8 12 AM '00

Department/Division Fire Department - 6400 Date August 4, 2000  
 Name of Employee Lee M. Hartwell Effective Date August 4, 2000  
 Social Security # 421-98-4645 Classification Firefighter Job Code 8010

Item 2 requires the signature of both department heads.

Items 2, 3, 4, 5, 6, 15 require approval of Personnel Director before action is official. Items 3, 4, 5, 7 must have copy of letter to employee attached. Item 8 should have copy of letter of resignation.

- |   |                                      |
|---|--------------------------------------|
| 1. Transfer within department.....( )     | 9. Retirement.....( )                |
| 2. Transfer to another department.....( ) | 10. Separation by death.....( )      |
| 3. Demotion.....( )                       | 11. Expiration by Temp. Apt. ....( ) |
| 4. Layoff.....( )                         | 12. Return LWOP.....( )              |
| 5. Dismissal.....( )                      | 13. Return from Military Lv.....( )  |
| 6. Leave without Pay.....( )              | 14. Change of Name.....( )           |
| 7. Suspension.....( )                     | 15. Change in Salary.....XXXXX       |
| 8. Resignation.....( )                    | 16. Assignment.....XXXX              |

ITEMS AFFECTED BY ACTION	FROM	TO
Department (Items 1 & 2)		
Classification & Salary (Items 1, 2, 3)	Firefighter (8010) 33,685	FF Eng (8013) 34,680
Dates (Items 6 & 7)		
Name (Item 14)		
Amount (Item 15)	✓ 33,685 Annual 11.2332/hr	✓ 34,680 Annual 11.5655/hr
Other (Item 16)	6400/8010/247/12	6400/8013/257/12

If action is Resignation or Layoff, Is Reemployment Recommended? Yes ( ) No ( ) **JUL 21 2000**

Funds are available E. Lloyd Faulkner Date \_\_\_\_\_  
 Disbursing Officer

Explanation and remarks (Give reason for any action which is not self-explanatory)  
Assigned Firefighter Engineer with a one-step increase in annual salary. To reflect on payroll dated 8-25-00.

(Signed) 1. <u>[Signature]</u>	Date <u>7/24/00</u>
Appointing Authority	
2. <u>[Signature]</u>	Date <u>7/24/00</u>
Fire Chief	
3. <u>[Signature]</u>	Date _____
Barbara M. Montoya	Date <u>JUL 26 2000</u>
4. _____	Date _____
Personnel Director	

DEPT./DIV. NUMBER 6400 EMPLOYEE'S NAME LEE M. HARTWELL  
First M.I. Last

EFFECTIVE DATE 08 104 100 SOCIAL SECURITY # 421 98 4645  
Mo. Da. Yr.

CURRENT CLASSIFICATION & SALARY ITEMS 1,2,6 3 JOB CODE 8010 PAY RANGE 247 STEP 12

ITEMS 3, 16, ON FORM 10, PROMOTION ON FORM 51 NEW PAYROLL/DEPT# 6400, IF APPLICABLE

NEW JOB CODE 8013 NEW PAY RANGE 257 NEW STEP 12 REVIEW DATE FOR NEXT INCREASE 20p

ITEM 15 NEW HOURLY RATES 11.565 PAID: WKLY ( ) BI-WKLY (X) SCHEDULED HRS PER PAY PD.: B

IF ACTION INVOLVES A PAY OUT ON PAYROLL, HAS EMPLOYEE ADVANCED WORK TIME ON BI-WKLY 4/15/83  
WEEKLY PAYROLL 4/8/83 OR BI-WEEKLY/WEEKLY 1985? YES ( ) NO ( )

IF YES: HOW MANY HOURS WERE ADVANCED: (1983)        HRS.  
(1985)        HRS.  
Total        HRS.

AFTER TIME USED ON FINAL TIME SHEET, PAY REMAINING LEAVE BALANCES AS FOLLOWS:

ANNUAL LEAVE HOURS:        .         
SICK LEAVE HOURS:        .        (1/2 Accrued)  
COMPENSATORY HOURS:        .         
PERSONAL LEAVE HOURS:        .         
TOTAL LEAVE HOURS        .        LAST DAY IN PAY STATUS        /        /         
Month Day Year

.....  
SECTION B SUBMIT IN TRIPLICATE WITH FORMS 3, 5, 8, 9 & 40

DEPARTMENT/DIVISION NUMBER        VERIFIED SOCIAL SECURITY#        /        /       

THE FOLLOWING PERSON HAS BEEN APPOINTED: TEMPORARY ( ) PERMANENT ( )

NAME        /        /        EFFECTIVE DATE        /        /         
First M.I. Last Mo. Da. Yr.

       /        /        /        /         
STREET ADDRESS CITY STATE ZIP PHONE NUMBER

RACE        SEX        MARITAL STATUS        DEPENDENTS        BIRTHDAY        /        /         
Month Day Year

HOURLY RATE: \$        .        JOB CODE:        PAY RANGE:        STEP:        REVIEW DATE       

PAID: WKLY ( ) B/W ( ) WILL ACCRUE LEAVE: YES ( ) NO ( ) WILL PAY RETIREMENT: YES ( ) NO ( )

SCHEDULED HOURS PER PAY PERIOD:        .        NON-SCHEDULED, PAID HOURS WORKED ONLY: YES ( ) NO ( )

WAS EMPLOYEE PREVIOUSLY EMPLOYED BY THE CITY OF MONTGOMERY? YES ( ) NO ( )

IF YES:        /        WAS PAID: WEEKLY ( ) B/W ( ) PREVIOUS SERVICE DATES:  
Department Date Terminated MONTHS DAYS YEARS

REMARKS:

MEMORANDUM

TO: Chief J. W. McKee  
FROM: Mayor Bobby Bright  
DATE: July 19, 2000  
RE: Promotions

7/19/00 *[Signature]*

With respect to the current promotional openings in the Fire Department, I hereby authorize the following promotions:

Fire Captain	Dennis Sexton
Fire Lieutenant	Jonathan E. King Harold D. Bellinger III
Fire Sergeant	Richard Carr L. M. Hartwell

Thank you. If you have any questions, please don't hesitate to contact me.



PREPARED 9/01/98, PP585L MERIT INCREASES BEGINING 9/04/98 ENDING 9/17/98 AND PAYABLE 9/25/98 PAGE 25

DEPARTMENT:	NAME	S.S. #	POSITION	CURRENT STEP	CURRENT RATE	OLD B/W	REVIEW DATE	PAY GRADE	NEW STEP	NEW RATE	SCH HRS	NEW B/W	ANNUAL SALARY
64 00	HARTWELL, LEE M	421-98-4645	08010	11	10.4633		09/01/98	247	12	10.7997	C		\$ 32,385

THE EMPLOYEES WHOSE NAMES APPEAR ON THIS LIST WILL RECEIVE THEIR MERIT INCREASE/LONGEVITY INCREASE ON THE DATE INDICATED.

CC: PERSONNEL

PAYROLL

APPROVED:

SIGNATURE OF DEPARTMENT HEAD

DATE:

2 Sep 98

J  
PREPARED 8/28/97, PR585L MERIT INCREASES BEGINING 9/05/97 ENDING 9/18/97 AND PAYABLE 9/26/97

PAGE 30

DEPARTMENT:	NAME	S.S. #	POSITION	CURRENT STEP	CURRENT RATE	OLD B/W	REVIEW DATE	PAY GRADE	NEW STEP	NEW RATE	SCH HRS	NEW B/W	ANNUAL SALARY
	HARTWELL, LEE M	421-98-4645	08010	10	9.8784		9/04/98	247 11		10.2298	C		\$30,676

THE EMPLOYEES WHOSE NAMES APPEAR ON THIS LIST WILL RECEIVE THEIR MERIT INCREASE/LONGEVITY INCREASE ON THE DATE INDICATED.

CC: PERSONNEL

PAYROLL

APPROVED:

SIGNATURE OF DEPARTMENT HEAD

DATE:

3 Sep 97

# CITY AND COUNTY OF MONTGOMERY PERSONNEL DEPARTMENT RECOMMENDATION FOR PERSONNEL ACTION

Department/Division Montgomery Fire Dept Date 4/11/97  
 Name of Employee Lee M Hartwell Effective Date 4/11/97  
 Social Security # 421-98- 4645 Classification Firefighter Job Code 8010

Item 2 requires the signature of both department heads.

Items 2, 3, 4, 5, 6, 15 require approval of Personnel Director before action is official. Items 3, 4, 5, 7 must have copy of letter to employee attached. Item 8 should have copy of letter of resignation.

- |   |                                      |
|---|--------------------------------------|
| 1. Transfer within department.....( )     | 9. Retirement.....( )                |
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| 3. Demotion.....( )                       | 11. Expiration by Temp. Apt. ....( ) |
| 4. Layoff.....( )                         | 12. Return LWOP.....( )              |
| 5. Dismissal.....( )                      | 13. Return from Military Lv.....( )  |
| 6. Leave without Pay.....( )              | 14. Change of Name.....( )           |
| 7. Suspension.....(XXX)                   | 15. Change in Salary.....( )         |
| 8. Resignation.....( )                    | 16.                                  |

ITEMS AFFECTED BY ACTION	FROM	TO
Department (Items 1 & 2)		
Classification & Salary (Items 1, 2, 3)		
Dates (Items 6 & 7)	3 Calendar Days	4/11/97 4/13/97
Name (Item 14)		
Amount (Item 15)		
Other (Item 16)		

If action is Resignation or Layoff, is Reemployment Recommended? Yes ( ) No ( )

Funds are available Rough S. Austin Date 4-14-97  
 Disbursing Officer

Explanation and remarks (Give reason for any action which is not self-explanatory)  
 To reflect on payroll dated 4/25/97

(Signed) 1. [Signature] Date APR 14 1997  
 Appointing Authority  
 2. R.W. Grier Date 4/14/97  
 R.W. Grier, Fire Chief  
 3. \_\_\_\_\_ Date \_\_\_\_\_  
 4. [Signature] Date APR 16 1997  
 Personnel Director



MEMORANDUM

TO: Mayor Emory Folmar  
FROM: Fire Chief R. W. Grier RWG  
DATE: April 8, 1997  
RE: Firefighter L. M. Hartwell  
Disciplinary Action

I have reviewed the file on Firefighter L. M. Hartwell and have discussed the charges that have been brought against him. Those present at this hearing were District Chief J. W. McKee; District Chief A. L. Wright; Firefighter Hartwell and myself.

The charges stem from Firefighter Hartwell's actions on March 13th when the police were called to his residence on a disturbance call. When the police arrived, Firefighter Hartwell was in his driveway screaming and acting very irate. Firefighter Hartwell refused to calm down and comply with the officers command. He was then maced by the officer when he slapped the officer's hand for patting him down. He was arrested and charged with harassment.

Due to the seriousness of the rules and regulation violations, I am concurring with Deputy Chief J. L. Fulmer's recommendation that he be suspended without pay for three calendar days.

RWG:fb

cc: Attachments

cc: Mr. Buckalew

Certified Mail  
Return Receipt Requested

Date April 10, 1997

NOTIFICATION OF SUSPENSION

Firefighter L. M. Hartwell

(Employee's Name)

3548 Malabar Road

(Street Address)

Montgomery, Alabama 36116

(City)

(State)

(Zip)

This is to notify you that as of this date, you are herewith suspended without pay for the period of three calendar  
days.

The reason(s) for this suspension is (are) *(List all charges – attach additional sheets as required):*

See Attached Sheet

Previous record considered *(List all actions considered – attach additional sheets as required):*

See Attached Sheets

Suspensions in excess of 30 calendar days in any fiscal year may be appealed to the Personnel Board. Suspensions of 30 calendar days or less may not be appealed to the Personnel Board except as may be otherwise provided in Personnel Rules and Regulations, Rule VIII, Section 12 and Rule VII, Section 12 or 13.

A permanent employee who has received a suspension appealable under Personnel Rules and Regulations may answer these charges within three (3) days from the date of receipt of the notification of suspension by responding in writing to the Appointing Authority and providing a copy to the Personnel Director in Room 224, City Hall.

Within ten (10) days from the time for filing your answer, you may file a written request with the Personnel Director for a hearing before the Personnel Board.

Consult the Montgomery City-County Personnel Board, Room 224, City Hall relative to any other rights you have under the Merit System Law.

R.W. Shinn

Department Head/Appointing Authority

Fire Chief

Title

FIREFIGHTER L. M. HARTWELL:

In violation of the rules and regulations governing the Montgomery Fire Department:

ARTICLE XI:

Section 1100 - Explanation: The rules of conduct prescribed in this article shall be confined to the official capacity of members of the Montgomery Fire Department.

(a) - When the actions or in-actions whether on duty or off duty may adversely affect the efficiency, discipline, reputation, or morale of the department.

Section 1101 - Members shall:

(g) - Refrain from conduct prejudicial to departmental reputation, order, or discipline and any member who fails to pay debts incurred while in the service of the department shall be charged with violation of this section.

(l) - Conduct themselves in a gentlemanly manner.

(p) - Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

(t) - Understand, be familiar with and obey the rules, regulations and training manuals and shall conduct themselves in a manner that will not reflect criticism on the department.

Prior record also considered.

MEMORANDUM

TO: Mayor Emory Folmar  
FROM: Fire Chief R. W. Grier *RWG*  
DATE: October 25, 1995  
RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

*TO*  
*Proceed*  
*EH*

This is the first step in a three step disciplinary process to correct the problem with firefighters who are habitually overweight.

The first step is a five day recommendation for suspension.

The second step is a fifteen day recommendation for suspension.

The third step is a recommendation of termination of employment.

All employees have been found medically sound for this program and all programs in the fire service.

RWG:fb

Attachments

cc: Mr. Buckalew



## MEMORANDUM

TO: Mayor Emory Folmar

FROM: Fire Chief R. W. Grier *RWG* *TO Proceed*

DATE: December 15, 1993

RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

This is the first step in a three step disciplinary process to correct the problem with firefighters who are habitually overweight.

The first step is a five day recommendation for suspension.

The second step is a fifteen day recommendation for suspension.

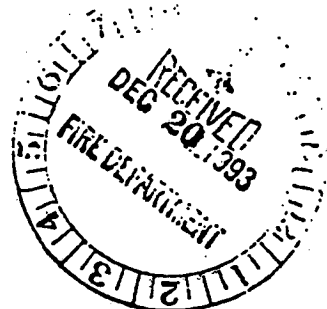
The third step is a recommendation of termination of employment.

All employees have been found medically sound for this program and all programs in the fire service.

RWG:fb

Attachments

cc: Mr. Buckalew



M E M O R A N D U M

TO: Chief Wayne Grier  
Montgomery Fire Department  
FROM: *Jim Buckalew*  
James E. Buckalew  
Executive Assistant to the Mayor  
DATE: March 17, 1994  
RE: SUSPENSION OF FIREFIGHTER L. M. HARTWELL

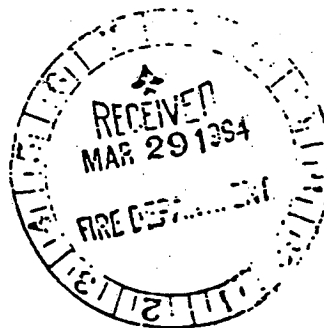
This office accepts Firefighter Hartwell's waiver to his right to appear for a hearing.

The Mayor concurs in your recommendation to suspend Firefighter L. M. Hartwell for fifteen (15) days for the reasons stated in your memorandum dated March 15, 1994. Please prepare the necessary personnel forms and forward them to this office for approval.

Approved:

*Emory Folmar*  
Emory Folmar, Mayor

JEB/edm



MEMORANDUM

TO: Mayor Emory Folmar  
FROM: Fire Chief R. W. Grier *R.W.G.*  
DATE: June 4, 1991  
RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

*TO*  
*Proceed*  
*EW*

In November, 1989, Firefighter L. M. Hartwell was given the first step of disciplinary action which was a five day suspension. At that time, he was 1.07 percent over his maximum body fat percentage. Firefighter Hartwell was given a fifteen day suspension for being one pound overweight in August, 1990.

This is the second step in a three step disciplinary process to correct the problem with firefighters who are habitually overweight. The second step is a fifteen day recommendation for suspension. Firefighter Hartwell is currently 2-1/2 pounds overweight.

The third step is a recommendation of termination of employment.

I concur with Deputy Chief J. L. Fulmer that Firefighter Hartwell be suspended for fifteen calendar days without pay and attached is a wavier signed by Firefighter Hartwell not wishing to be present at the hearing with you.

RWG:fb

Attachments

cc: Mr. Buckalew



MEMORANDUM

NOV 20 1989

TO: Mayor Emory Folmar  
FROM: Fire Chief R. W. Grier *R.W.G.*  
DATE: November 17, 1989  
RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

This is the first step in a three step disciplinary process to correct the problem with firefighters who are habitually overweight.

The first step is a five day recommendation for suspension.

The second step is a fifteen day recommendation for suspension.

The third step is a recommendation of termination of employment.

All employees have been found medically sound for this program and all programs in the fire service.

RWG:fb

Attachments

cc: Mr. Buckalew



M E M O R A N D U M

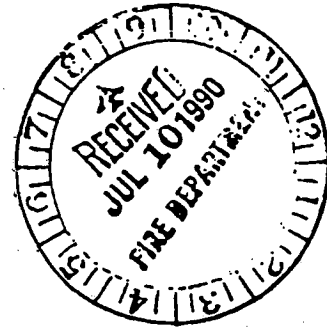
TO: Chief Wayne Grier  
Montgomery Fire Department  
FROM: *Jem* James E. Buckalew  
Executive Assistant to the Mayor  
DATE: July 9, 1989  
RE: SUSPENSION OF FIREFIGHTER L. M. HARTWELL

This office accepts Firefighter L. M. Hartwell's waiver to his right to appear for a hearing.

The Mayor concurs in your recommendation to suspend Firefighter Hartwell for fifteen (15) calendar days for the reasons stated in your memorandum dated July 6, 1990. Please prepare the necessary personnel forms and forward them to this office for approval.

Approved:

*Emory Folmar*  
Emory Folmar, Mayor  
JEB/edm



MEMORANDUM

TO: Mayor Emory Folmar  
FROM: Fire Chief R. W. Grier *RWG*  
DATE: April 8, 1997  
RE: Firefighter L. M. Hartwell  
Disciplinary Action

I have reviewed the file on Firefighter L. M. Hartwell and have discussed the charges that have been brought against him. Those present at this hearing were District Chief J. W. McKee; District Chief A. L. Wright; Firefighter Hartwell and myself.

The charges stem from Firefighter Hartwell's actions on March 13th when the police were called to his residence on a disturbance call. When the police arrived, Firefighter Hartwell was in his driveway screaming and acting very irate. Firefighter Hartwell refused to calm down and comply with the officers command. He was then maced by the officer when he slapped the officer's hand for patting him down. He was arrested and charged with harassment.

Due to the seriousness of the rules and regulation violations, I am concurring with Deputy Chief J. L. Fulmer's recommendation that he be suspended without pay for three calendar days.

RWG:fb

cc: Attachments

cc: Mr. Buckalew

MEMORANDUM

TO: Chief R. W. Grier  
FROM: Deputy Chief J. L. Fulmer *J.L.F.*  
DATE: March 27, 1997  
RE: Disciplinary Action  
Firefighter L. M. Hartwell

Firefighter L. M. Hartwell is being charged with conduct prejudicial to the Montgomery Fire Department's reputation order and discipline.

On March 13, 1997 at approximately 23:20 hours, Unit 316 of the Montgomery Police Department, Officers Vaughn and Lofton were dispatched to 3548 Malabar Rd. on a disturbance call. According to the officers, upon their arrival they observed Firefighter Hartwell standing in the driveway screaming and acting very irate. Firefighter Hartwell refused to calm down or comply with any of the officers verbal commands. Officer Vaughn started a pat down of Firefighter Hartwell for weapons, to ensure everyone's safety when Firefighter Hartwell slapped the officer's hand, and drew back his fist as if to strike the officer. Firefighter Hartwell was then maced by the officer, arrested, taken to the city jail and charged with harassment by Officer Vaughn.

Firefighter Hartwell has been a member of the department for ten years and six months and his job performance at the station and on the fireground has been satisfactory. However, this type of conduct cannot be tolerated by the department. Firefighter Hartwell's action mentioned above places him in violation of several sections of the Montgomery Fire Department Rules and Regulations, therefore I am charging him with the following violations:

ARTICLE XI:

Section 1100 - Explanation: The rules of conduct prescribed in this article shall be confined to the official capacity of members of the Montgomery Fire Department.

(a) When the actions of in-actions whether on duty or off duty may adversely affect the efficiency, discipline, reputation, or morale of the department.

Section 1101: Members shall:

(g) - Refrain from conduct prejudicial to departmental reputation order or discipline and any member who fails to pay debts incurred while in the service of the department shall be charged with violations of this section.

(l) - Conduct themselves in a gentlemanly manner.

(p) - Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

(t) - Understand, be familiar with and obey the rules, regulations and training manuals and shall conduct themselves in a manner that will not reflect criticism on the department.

Due to the seriousness of this incident, I am recommending a suspension of three days without pay.

JLF:cmn

MONTGOMERY MUNICIPAL COURT  
AFFIDAVIT/COMPLAINT

OFFENSE: Harassment DATE: 03/13/97  
DEFENDANT'S NAME: Lee Marvin Hartwell  
DEFENDANT'S ADDRESS: 3548 Malabar Rd. Montg, AL WORK: \_\_\_\_\_  
DEFENDANT'S PERSONAL DATA: RACE: B SEX: M DOB: 3/27/64 AGE: 32  
HT: 5'7 WT: 170 HAIR: Blk EYES: Brn OTHER: \_\_\_\_\_  
DATE AND TIME OF OFFENSE: 03/13/97 TIME: \_\_\_\_\_ A.M. 2320 (P.)  
PLACE OF OCCURRENCE: 3548 Malabar Rd. Montg, AL  
PERSON OR PROPERTY ATTACKED: S.C. Vaughn #169  
HOW ATTACKED: slapped  
DAMAGE DONE OR INJURIES RECEIVED: \_\_\_\_\_  
VALUE OF PROPERTY: \_\_\_\_\_

## DETAILS: (PLEASE BE SPECIFIC)

On the listed date and time we responded to the listed location on a disturbance call. Upon arrival the subject was standing in the driveway screaming and being very irate. The defendant refused to comply with anything either this officer or my partner told him to do. I told the defendant several

(CONTINUE ON BACK IF NECESSARY)

I make this affidavit for the purpose of securing a warrant against the said defendant, I understand that I am instituting a criminal proceeding and cannot drop the charges. I further understand that if any of the foregoing facts are untrue, I may, in addition to the other punishment provided by law be taxed with court costs in this proceeding.

COMPLAINANT'S NAME: S.C. Vaughn #169  
COMPLAINANT'S HOME ADDRESS: \_\_\_\_\_  
COMPLAINANT'S WORK ADDRESS: 320 N. Ripley St.  
COMPLAINANT'S PHONE NO. (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Other) \_\_\_\_\_  
WITNESS(ES): M.S. Lofton #441  
Name & Address \_\_\_\_\_

S.C. Vaughn #169  
COMPLAINANT'S SIGNATURE

Sworn to and subscribed before me this 14th day of March, 1997

DEFENDANT IN CUSTODY: YES / NO \_\_\_\_\_V. Beeman  
MAGISTRATE  
MONTGOMERY MUNICIPAL COURT

(Details continued):

times very calmly to calm down. I told the defendant I was going to put him down for weapons for our safety and his. The defendant turned and stepped this officer's hand. I backed up two steps and drew my mace. The defendant turned toward me in an aggressive manner and clenched and drew his right fist back. The defendant was then maced by this officer and taken into custody. The defendant was transported to headquarters, decontaminated and placed in the city jail.

OFFICER'S WORK PRODUCT MAY NOT BE PUBLIC INFORMATION

IDENTIFICATION	1 ORI #	2 AGENCY NAME		3 CASE #	4 SFX											
	0030100	Montgomery Police Dept.		7942												
	5 LAST, FIRST, MIDDLE NAME				6 ALIAS AKA											
	Hartwell Lee Marvin															
ARREST	7 SEX	8 RACE	9 HGT.	10 WGT.	11 EYE	12 HAIR	13 SKIN	14	15 SCARS	16 MARKS	17 TATOOS	18 AMPUTATIONS				
	M	W	5'7"	170	Brn	Blk	Med.									
	19 PLACE OF BIRTH (CITY, COUNTY, STATE)			16 SSN			17 DATE OF BIRTH			18 AGE			19 MISCELLANEOUS ID #			
	Montg AL			41211-17181-1416415			0312171614			33						
	20 SID #	21 FINGERPRINT CLASS		KEY	MAJOR	PRIMARY	SCDV	SUB-SECONDARY	FINAL	22 DL #						
										4745139						
	24 FBI #	HENRY CLASS		25 IDENTIFICATION COMMENTS						23 ST						
										AL						
	26 RESIDENT		27 HOME ADDRESS (STREET, CITY, STATE, ZIP)		28 RESIDENCE PHONE		29 OCCUPATION (BE SPECIFIC)			30 BUSINESS PHONE						
	<input checked="" type="checkbox"/> NON-RESIDENT		3548 Malabar Rd. Montg. AL 36116		( )		Firefighter			( )						
VEHICLE	30 EMPLOYER (NAME OF COMPANY/SCHOOL)			31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)			32 BUSINESS PHONE			33						
	City of Montgomery			Station 6 E. South Blvd. Montg. AL			( )			( )						
	34 LOCATION OF ARREST (STREET, CITY, STATE, ZIP)			35 SECTION #			36 ARRESTED FOR YOUR JURISDICTION?			37 YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>						
	3548 Malabar Rd. Montg. AL 36116			116111												
	38 CONDITION OF		39 RESIST ARREST?		40 INJURIES?		41 ARMED?		42 DESCRIPTION OF WEAPON							
	<input checked="" type="checkbox"/> DRUNK <input checked="" type="checkbox"/> SOBER		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input checked="" type="checkbox"/> NONE		<input type="checkbox"/> Y <input checked="" type="checkbox"/> N		<input type="checkbox"/> HANDGUN <input type="checkbox"/> OTHER FIREARM							
	ARRESTEE: <input type="checkbox"/> DRINKING <input type="checkbox"/> DRUGS		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> OFFICER <input type="checkbox"/> ARRESTEE				<input type="checkbox"/> RIFLE <input type="checkbox"/> OTHER WEAPON							
	43 DATE OF ARREST		44 TIME OF ARREST		45 DAY OF ARREST		46 TYPE ARREST		47 ARRESTED BEFORE?							
	01311319172320		2:20 PM		S M T W T F S		ON VIEW <input type="checkbox"/> CALL <input type="checkbox"/> WARRANT <input type="checkbox"/>		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNKNOWN							
	JUVENILE	48 CHARGE-1			49 UCR CODE			50 CHARGE-2			51 UCR CODE					
Harassment			B1456													
52 STATE CODE/LOCAL ORDINANCE			53 WARRANT #			54 STATE CODE/LOCAL ORDINANCE			55 WARRANT #							
2155-97																
56 CHARGE-3			57 UCR CODE			58 CHARGE-4			59 UCR CODE							
60 STATE CODE/LOCAL ORDINANCE			61 WARRANT #			62 STATE CODE/LOCAL ORDINANCE			63 WARRANT #							
64 ARREST DISPOSITION			65 IF OUT ON RELEASE			66 ARRESTED WITH (1) ACCOMPLICE (FULL NAME)			67							
<input type="checkbox"/> HELD <input type="checkbox"/> TOT-LE <input type="checkbox"/> BAIL <input type="checkbox"/> OTHER <input checked="" type="checkbox"/> RELEASED			WHAT TYPE?													
RELEASE	70 VYR		71 VMA		72 VMO		73 VST		74 VCO TOP		75 TAG #		76 LIB		77 LTY	
									BOTTOM							
	78 VIN		79 IMPOUNDED?		80 STORAGE LOCATION/IMPOUND #		81		82		83		84		85	
			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO													
	86 OTHER EVIDENCE SEIZED/PROPERTY SEIZED															
	87 JUVENILE <input type="checkbox"/> HANDLED AND RELEASED <input type="checkbox"/> REF. TO WELFARE AGENCY <input type="checkbox"/> REF. TO ADULT COURT <input type="checkbox"/> REF. TO JUVENILE COURT <input type="checkbox"/> REF. TO OTHER POLICE AGENCY															
	88 RELEASED TO															
	89 PARENT OR GUARDIAN (LAST, FIRST, MIDDLE NAME)															
	90 ADDRESS (STREET, CITY, STATE, ZIP)															
91 PHONE																
92 PARENTS EMPLOYER																
93 OCCUPATION																
94 ADDRESS (STREET, CITY, STATE, ZIP)																
95 PHONE																
RELEASE	96 DATE AND TIME OF RELEASE			97 RELEASING OFFICER NAME			98 AGENCY/DIVISION			99 ID #						
	01311319172320			M.S. Lottan			Patrol			441						
	100 RELEASED TO:			101 AGENCY/DIVISION			102 AGENCY ADDRESS			103						
	City Jail			MPD			320 N. Ripley St.									
	104 PERSONAL PROPERTY RELEASED TO ARRESTEE			105 PROPERTY NOT RELEASED/HELD AT:			106 PROPERTY			107						
	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> PARTIAL															
	108 REMARKS (NOTE ANY INJURIES AT TIME OF RELEASE)															
	Subject was maced - no injuries															
	109 SIGNATURE OF RECEIVING OFFICER															
	110 SIGNATURE OF RELEASING OFFICER															
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PER. FORM 31  
Revised 10/93

CITY OF MONTGOMERY  
NOTICE OF DEPARTMENTAL DISCIPLINARY HEARING

TO: Firefighter Lee M. Hartwell  
3548 Malabar Road  
Montgomery, Alabama 36116

Please be advised that a departmental hearing has been scheduled for the  
2<sup>nd</sup> day of March 1997 at 8:00 o'clock A.M. at the Fire  
Chief's Office before Fire Chief R. W. Grier for the purpose of consid-  
ering action against you for the following reasons:

See Attached Sheet

You may be present if you desire and you may respond in writing and/or  
orally at the time of the hearing. You may not be represented by an  
attorney at the departmental level. Disciplinary actions exceeding  
suspensions of more than five (5) days require a hearing before the  
Mayor, and you will be advised in writing of such hearing if required at  
the conclusion of your departmental hearing.

*J. L. Felmer*  
Department Head

The above was read in full and a copy offered the employee on the  
2<sup>nd</sup> day of March 1997.

THE EMPLOYEE:

☒ Accepted a copy of same and acknowledged receipt thereof.

☐ Accepted a copy but would not acknowledge receipt.

☐ Refused to accept a copy.

Signed

*J. L. Felmer*

Witnessed

*J. M. [Signature]*

I hereby acknowledge receipt of this notification of said charges and of  
the hearing thereon.

*Lee M. Hartwell*  
Employee



FIREFIGHTER L. M. HARTWELL:

In violation of the rules and regulations governing the Montgomery Fire Department:

ARTICLE XI:

Section 1100 - Explanation: The rules of conduct prescribed in this article shall be confined to the official capacity of members of the Montgomery Fire Department.

(a) - When the actions or in-actions whether on duty or off duty may adversely affect the efficiency, discipline, reputation, or morale of the department.

Section 1101 - Members shall:

(G) - Refrain from conduct prejudicial to departmental reputation, order, or discipline and any member who fails to pay debts incurred while in the service of the department shall be charged with violation of this section.

(l) - Conduct themselves in a gentlemanly manner.

(p) - Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

(t) - Understand, be familiar with and obey the rules, regulations and training manuals and shall conduct themselves in a manner that will not reflect criticism on the department.

Prior record also considered.

PREPARED 9/03/96, PR685L MERIT INCREASES BEGINNING 9/06/96 ENDING 9/19/96 AND PAYABLE 9/27/96

PAGE 29

DEPARTMENT:	64 00 NAME	S.S. #	POSITION	CURRENT STEP	CURRENT RATE	OLD B/W	REVIEW DATE	PAY GRADE	NEW STEP	NEW RATE	SCH HRS	NEW B/W	ANNUAL SALARY
	HARTWELL, LEE M		421-98-4645 08010	9	9.2764		9/05/97	247	10	9.6282	C		28,872

THE EMPLOYEES WHOSE NAMES APPEAR ON THIS LIST WILL RECEIVE THEIR MERIT INCREASE/LONGEVITY INCREASE ON THE DATE INDICATED.

CC: PERSONNEL  
PAYROLLAPPROVED:   
SIGNATURE OF DEPARTMENT HEAD

DATE: 5 SEP 92

Form 10

Submit in Triplicate

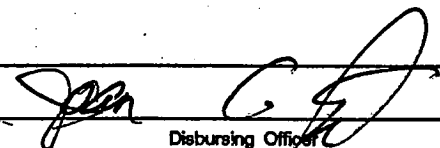
**CITY AND COUNTY OF MONTGOMERY  
PERSONNEL DEPARTMENT  
RECOMMENDATION FOR PERSONNEL ACTION**

Department/Division Montgomery Fire Dept - 6400 Date 10/31/95  
Name of Employee Lee M. Hartwell Effective Date 10/31/95  
Social Security # 421-98-4645 Classification Firefighter Job Code 8010

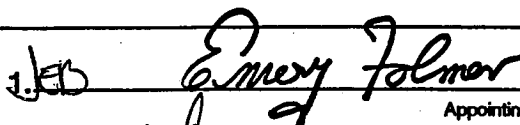
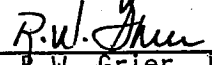

Item 2 requires the signature of both department heads.

Items 2, 3, 4, 5, 6, 15 require approval of Personnel Director before action is official. Items 3, 4, 5, 7 must have copy of letter to employee attached. Item 8 should have copy of letter of resignation.

- |  |                                      |
|--|--------------------------------------|
| 1. Transfer within department..... ( )     | 9. Retirement..... ( )               |
| 2. Transfer to another department..... ( ) | 10. Separation by death..... ( )     |
| 3. Demotion..... ( )                       | 11. Expiration by Temp. Apt..... ( ) |
| 4. Layoff..... ( )                         | 12. Return LWOP..... ( )             |
| 5. Dismissal..... ( )                      | 13. Return from Military Lv..... ( ) |
| 6. Leave without pay..... ( )              | 14. Change of Name..... ( )          |
| 7. Suspension..... XXXX ( )                | 15. Change in Salary..... ( )        |
| 8. Resignation..... ( )                    | 16. _____ ( )                        |

<b>ITEMS AFFECTED BY ACTION</b>	<b>FROM</b>	<b>TO</b>
<b>Department (Items 1 &amp; 2)</b>		
<b>Classification &amp; Salary (Items 1,2,3)</b>		
<b>Dates (Items 6 &amp; 7)</b>	<b>Five (5) Calendar Days</b>	<b>31 OCT 95</b>
<b>Name (Item 14)</b>		
<b>Amount (Item 15)</b>		
<b>Other (Item 16)</b>		
<b>Funds are available</b>		<b>Date</b> <u>OCT 31 1995</u>

**Explanation and remarks (Give reason for any action which is not self-explanatory)**  
To reflect on payroll dated 11/10/95 and 11/24/95.

(Signed) 1.  **Appointing Authority** Date 11/1/95  
2.  **R.W. Grier, Fire Chief** Date 10/31/95  
3. \_\_\_\_\_ **Date** \_\_\_\_\_  
4.  **Personnel Director** Date NOV 03 1995

MEMORANDUM

TO: Mayor Emory Folmar  
FROM: Fire Chief R. W. Grier *RWG*  
DATE: October 25, 1995  
RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

*TO:*  
*Proceed*  
*SH*

This is the first step in a three step disciplinary process to correct the problem with firefighters who are habitually overweight.

The first step is a five day recommendation for suspension.

The second step is a fifteen day recommendation for suspension.

The third step is a recommendation of termination of employment.

All employees have been found medically sound for this program and all programs in the fire service.

RWG:fb

Attachments

cc: Mr. Buckalew



PER. FORM 35  
Revised 10/93

Certified Mail  
Return Receipt Requested

Date October 26, 1995

**NOTIFICATION OF SUSPENSION**

Firefighter L. M. Hartwell  
(Employee's Name)

3006-E Southmall Circle  
(Street Address)

Montgomery, Alabama 36117  
(City) (State) (Zip)

This is to notify you that as of this date, you are herewith suspended without pay for the period of five calendar  
days.

The reason(s) for this suspension is (are) *(List all charges – attach additional sheets as required):*

See Attached Sheet

Previous record considered *(List all actions considered – attach additional sheets as required):*

See Attached Sheets

Suspensions in excess of 30 calendar days in any fiscal year may be appealed to the Personnel Board. Suspensions of 30 calendar days or less may not be appealed to the Personnel Board except as may be otherwise provided in Personnel Rules and Regulations, Rule VIII, Section 12 and Rule VII, Section 12 or 13.

A permanent employee who has received a suspension appealable under Personnel Rules and Regulations may answer these charges within three (3) days from the date of receipt of the notification of suspension by responding in writing to the Appointing Authority and providing a copy to the Personnel Director in Room 224, City Hall.

Within ten (10) days from the time for filing your answer, you may file a written request with the Personnel Director for a hearing before the Personnel Board.

Consult the Montgomery City-County Personnel Board, Room 224, City Hall relative to any other rights you have under the Merit System Law.

R. W. Shaw

Department Head/Appointing Authority

Fire Chief

Title

**FIREFIGHTER L. M. HARTWELL:**

**In violation of the rules and regulations governing the  
Montgomery Fire Department:**

**ARTICLE XI:**

**Section 1101: Members shall:**

(j) - Comply with the regulated weight program  
according to the department policy.

(p) - Members shall: Refrain from immoral  
conduct, deception, violation or evasion of law  
or official rule, regulation or order.

**Section 1103(a) - Members shall not: Neglect or fail to  
perform any portion of their duties required by rule,  
regulation, order, common practice, or the necessities of  
the situation involved.**

**Also prior record considered.**

MEMORANDUM

TO: Mayor Emory Folmar  
FROM: Fire Chief R. W. Grier *RWG*  
DATE: December 15, 1993  
RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

*TO Proceed*

This is the first step in a three step disciplinary process to correct the problem with firefighters who are habitually overweight.

The first step is a five day recommendation for suspension.

The second step is a fifteen day recommendation for suspension.

The third step is a recommendation of termination of employment.

All employees have been found medically sound for this program and all programs in the fire service.

RWG:fb

Attachments

cc: Mr. Buckalew



M E M O R A N D U M

TO: Chief Wayne Grier  
Montgomery Fire Department

FROM: *Jim Buckalew*  
James E. Buckalew  
Executive Assistant to the Mayor

DATE: March 17, 1994

RE: SUSPENSION OF FIREFIGHTER L. M. HARTWELL

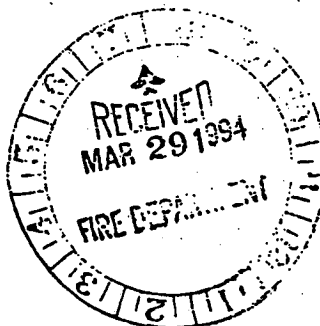
This office accepts Firefighter Hartwell's waiver to his right to appear for a hearing.

The Mayor concurs in your recommendation to suspend Firefighter L. M. Hartwell for fifteen (15) days for the reasons stated in your memorandum dated March 15, 1994. Please prepare the necessary personnel forms and forward them to this office for approval.

Approved:

*Emory Folmar*  
Emory Folmar, Mayor

JEB/edm





MEMORANDUM

TO: Mayor Emory Folmar  
FROM: Fire Chief R. W. Grier *R.W.G.*  
DATE: June 4, 1991  
RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

*TO*  
*Proceed*  
*EW*

In November, 1989, Firefighter L. M. Hartwell was given the first step of disciplinary action which was a five day suspension. At that time, he was 1.07 percent over his maximum body fat percentage. Firefighter Hartwell was given a fifteen day suspension for being one pound overweight in August, 1990.

This is the second step in a three step disciplinary process to correct the problem with firefighters who are habitually overweight. The second step is a fifteen day recommendation for suspension. Firefighter Hartwell is currently 2-1/2 pounds overweight.

The third step is a recommendation of termination of employment.

I concur with Deputy Chief J. L. Fulmer that Firefighter Hartwell be suspended for fifteen calendar days without pay and attached is a wavier signed by Firefighter Hartwell not wishing to be present at the hearing with you.

RWG:fb

Attachments

cc: Mr. Buckalew



M E M O R A N D U M

TO: Chief Wayne Grier  
Montgomery Fire Department  
JEM

FROM: James E. Buckalew  
Executive Assistant to the Mayor

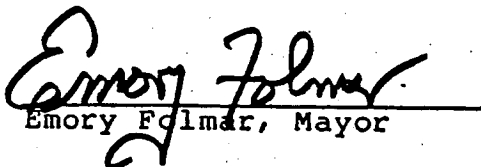
DATE: July 9, 1989

RE: SUSPENSION OF FIREFIGHTER L. M. HARTWELL

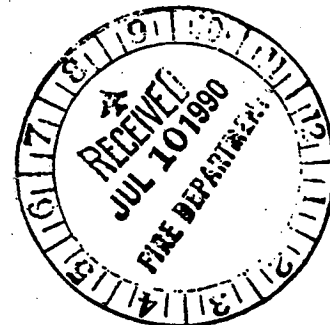
This office accepts Firefighter L. M. Hartwell's waiver to his right to appear for a hearing.

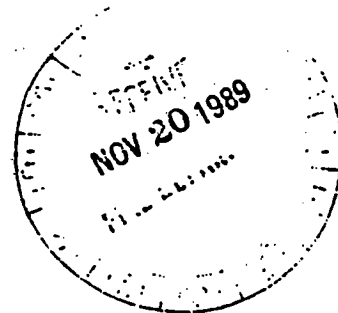
The Mayor concurs in your recommendation to suspend Firefighter Hartwell for fifteen (15) calendar days for the reasons stated in your memorandum dated July 6, 1990. Please prepare the necessary personnel forms and forward them to this office for approval.

Approved:

  
Emory Folmar, Mayor

JEB/edm





MEMORANDUM

TO: Mayor Emory Folmar  
FROM: Fire Chief R. W. Grier *R.W.G.*  
DATE: November 17, 1989  
RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

This is the first step in a three step disciplinary process to correct the problem with firefighters who are habitually overweight.

The first step is a five day recommendation for suspension.

The second step is a fifteen day recommendation for suspension.

The third step is a recommendation of termination of employment.

All employees have been found medically sound for this program and all programs in the fire service.

RWG:fb

Attachments

cc: Mr. Buckalew

MEMORANDUM

TO: Mayor Emory Folmar  
FROM: Fire Chief R. W. Grier *RWG*  
DATE: October 25, 1995  
RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

This is the first step in a three step disciplinary process to correct the problem with firefighters who are habitually overweight.

The first step is a five day recommendation for suspension.

The second step is a fifteen day recommendation for suspension.

The third step is a recommendation of termination of employment.

All employees have been found medically sound for this program and all programs in the fire service.

RWG:fb

Attachments

cc: Mr. Buckalew

MEMORANDUM

TO: Firefighter L. M. Hartwell  
FROM: Fire Chief R. W. Grier *R.W.G*  
DATE: October 25, 1995  
RE: Disciplinary Action - Overweight

A policy has been established for weight control and physical exercise in the Montgomery Fire Department. This program has been scrutinized by medical, legal and physical fitness experts. The criteria has been found to be sound and the policy very liberal.

Firefighter Hartwell you are expected to conform to this as well as all other policies of this organization. There will be no exceptions. I am concurring with Deputy Chief J. L. Fulmer's recommendation for suspension. You will be suspended for five calendar days without pay.

RWG:fb

cc: District Chief C. E. Hill  
Captain J. A. Sutherland  
File

PER. FORM 31  
Revised 10/93

CITY OF MONTGOMERY  
NOTICE OF DEPARTMENTAL DISCIPLINARY HEARING

TO: Firefighter L. M. Hartwell  
3006-E Southmall Circle  
Montgomery, Alabama 36117

Please be advised that a departmental hearing has been scheduled for the 25<sup>th</sup> day of October, 1995 at 0800 o'clock 8 .m. at the Fire Chief's Office before Fire Chief R. W. Grier for the propose of considering action against you for the following reasons:

See Attached Sheet

You may be present if you desire and you may respond in writing and/or orally at the time of the hearing. You may not be represented by an attorney at the departmental level. Disciplinary actions exceeding suspensions of more that five (5) days require a hearing before the Mayor, and you will be advised in writing of such hearing if required at the conclusion of your departmental hearing.

J. P. Fulmer

Department Head

The above was read in full and a copy offered the employee on the 19<sup>th</sup> day of October, 19 95.

THE EMPLOYEE:

☒ Accepted a copy of same and acknowledged receipt thereof.

☐ Accepted a copy but would not acknowledge receipt.

☐ Refused to accept a copy.

Signed: J. P. Fulmer

Witnessed: C. E. Hill

I hereby acknowledge receipt of this notification of said charges and of the hearing thereon.

L. M. Hartwell

Employee

FIREFIGHTER L. M. HARTWELL:

In violation of the rules and regulations governing the  
Montgomery Fire Department:

ARTICLE XI:

Section 1101: Members shall:

(j) - Comply with the regulated weight program  
according to the department policy.

(p) - Members shall: Refrain from immoral  
conduct, deception, violation or evasion of law  
or official rule, regulation or order.

Section 1103(a) - Members shall not: Neglect or fail to  
perform any portion of their duties required by rule,  
regulation, order, common practice, or the necessities of  
the situation involved.

Also prior record considered.

MEMORANDUM

TO: Fire Chief R. W. Grier  
FROM: Deputy Chief J. L. Fulmer *J.L.F.*  
DATE: October 19, 1995  
RE: Firefighter L. M. Hartwell  
Disciplinary Action

Firefighter L. M. Hartwell was weighed on the official scale on October 13, 1995 and he was found to be overweight. He weighed 206-3/4 pounds. This places him 2-3/4 pounds over his maximum weight of 204 pounds.

This is Firefighter Hartwell's first failure in a twelve month period to meet the department's standard weight requirement. The second failure in a twelve month period is fifteen day suspension and the third failure in a twelve month period is termination of employment.

Firefighter Hartwell has been told that he must keep his weight at or under his maximum at all times.

I am charging him with violation of the following rules and regulations:

ARTICLE XI:

Section 1101 - Members shall:

(j) - Comply with the required weight program according to the department policy.

(p) - Members shall: Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

Section 1103(a) - Members shall not: Neglect or fail to perform any portion of their duties required by rule, regulation, order, common practice, or the necessities of the situation involved.

I am recommending that he be suspended for five calendar days without pay.

JLF:fb

cc: Firefighter L. M. Hartwell



MEMORANDUM

TO: L.M. Hartwell F/F L.M.H (Employee)  
(Initial)

FROM: Chief C.E. Hill C.E.H. (Officer)  
(Initial)

DATE: October 13, 1995

RE: Overweight

You were weighed on the the official scale (headquarters) and found to be overweight. Your weight on the official scale was 206.75 pounds. This is 2.75 pound(s) above your maximum weight of 204.0 pounds.

You have been directed that you must keep your weight below your maximum weight at all times. You have failed to meet this directive.

Witnessed: J.A. Sutherland Captain

PER. FORM 31  
Revised 10/93

CITY OF MONTGOMERY  
NOTICE OF DEPARTMENTAL DISCIPLINARY HEARING

TO: Firefighter L. M. Hartwell  
3006-E Southmall Circle  
Montgomery, Alabama 36117

Please be advised that a departmental hearing has been scheduled for the 25<sup>th</sup> day of October, 1995 at 0800 o'clock 4 .m. at the Fire Chief's Office before Fire Chief R. W. Grier for the propose of considering action against you for the following reasons:

See Attached Sheet

You may be present if you desire and you may respond in writing and/or orally at the time of the hearing. You may not be represented by an attorney at the departmental level. Disciplinary actions exceeding suspensions of more that five (5) days require a hearing before the Mayor, and you will be advised in writing of such hearing if required at the conclusion of your departmental hearing.

J. R. Pulmes

Department Head

The above was read in full and a copy offered the employee on the 19<sup>th</sup> day of October, 19 95.

THE EMPLOYEE:

☒ Accepted a copy of same and acknowledged receipt thereof.

☐ Accepted a copy but would not acknowledge receipt.

☐ Refused to accept a copy.

Signed: J. R. Pulmes

Witnessed: C. E. Hill

I hereby acknowledge receipt of this notification of said charges and of the hearing thereon.

L. M. Hartwell

Employee

FIREFIGHTER L. M. HARTWELL:

In violation of the rules and regulations governing the  
Montgomery Fire Department:

ARTICLE XI:

Section 1101: Members shall:

(j) - Comply with the regulated weight program  
according to the department policy.

(p) - Members shall: Refrain from immoral  
conduct, deception, violation or evasion of law  
or official rule, regulation or order.

Section 1103(a) - Members shall not: Neglect or fail to  
perform any portion of their duties required by rule,  
regulation, order, common practice, or the necessities of  
the situation involved.

Also prior record considered.

PER. FORM 31  
Revised 10/93

CITY OF MONTGOMERY  
NOTICE OF DEPARTMENTAL DISCIPLINARY HEARING

TO: Firefighter L. M. Hartwell  
3006-E Southmall Circle  
Montgomery, Alabama 36117

Please be advised that a departmental hearing has been scheduled for the 25<sup>th</sup> day of October, 1995 at 0800 o'clock 4 .m. at the Fire Chief's Office before Fire Chief R. W. Grier for the propose of considering action against you for the following reasons:

See Attached Sheet

You may be present if you desire and you may respond in writing and/or orally at the time of the hearing. You may not be represented by an attorney at the departmental level. Disciplinary actions exceeding suspensions of more that five (5) days require a hearing before the Mayor, and you will be advised in writing of such hearing if required at the conclusion of your departmental hearing.

J. L. Fulmer

Department Head

The above was read in full and a copy offered the employee on the 19<sup>th</sup> day of October, 19 95.

THE EMPLOYEE:

☒ Accepted a copy of same and acknowledged receipt thereof.

☐ Accepted a copy but would not acknowledge receipt.

☐ Refused to accept a copy.

Signed: J. L. Fulmer

Witnessed: C. E. Hill

I hereby acknowledge receipt of this notification of said charges and of the hearing thereon.

L. M. Hartwell

Employee

PREPARED 9/01/95, PR6851 MERIT INCREASES BEGINNING 9/08/95 ENDING 9/21/95 AND PAYABLE 9/30/95 PAGE 34

DEPARTMENT:	NAME	S.S. #	POSITION	CURRENT STEP	CURRENT RATE	OLD S/W	REVIEW DATE	PAY GRADE	NEW STEP	NEW RATE	SCH HRS	NEW S/W	ANNUAL SALARY
HARTWELL, LEE M		421-98-4645	08010	8	8.5906		9/07/96	247	09	8.9429	C		24,817

THE EMPLOYEES WHOSE NAMES APPEAR ON THIS LIST WILL RECEIVE THEIR MERIT INCREASE/LONGEVITY INCREASE ON THE DATE INDICATED.

CC: PERSONNEL  
PAYROLL

APPROVED:

*R.W. J...*  
SIGNATURE OF DEPARTMENT HEAD

DATE:

.....7 SEP 95.....

PREPARED 9/07/94, PR685L MERIT INCREASES BEGINNING 9/09/94 ENDING 9/22/94 AND PAYABLE 9/30/94 PAGE 43  
 DEPARTMENT: 64 00  
 NAME S.S. # POSITION CURRENT STEP CURRENT RATE OLD RATE REVIEW DATE PAY GRADE NEW STEP NEW RATE SCH HRS NEW B/M ANNUAL SALARY  
 HARTWELL, LEE M 421-98-4645 08010 7 8.0272 9/08/95 247 08 8.2905 B 24,800

THE EMPLOYEES WHOSE NAMES APPEAR ON THIS LIST WILL RECEIVE THEIR MERIT INCREASE/LONGEVITY INCREASE ON THE DATE INDICATED.

DATE: 9-13-94  
 CC: PERSONNEL  
 PAYROLL

APPROVED: [Signature]  
 SIGNATURE OF DEPARTMENT HEAD

MOORE US, TC

Form 10

Submit in Triplicate

**CITY AND COUNTY OF MONTGOMERY  
PERSONNEL DEPARTMENT  
RECOMMENDATION FOR PERSONNEL ACTION**

Department/Division Montgomery Fire Dept. 6400 Date April 11, 1994  
 Name of Employee Lee M. Hartwell Effective Date April 8, 1994  
 Social Security # 421-98-4645 Classification Firefighter Job Code 8010

Item 2 requires the signature of both department heads.

Items 2, 3, 4, 5, 6, 15 require approval of Personnel Director before action is official. Items 3, 4, 5, 7 must have copy of letter to employee attached. Item 8 should have copy of letter of resignation.

- |  |                                      |
|--|--------------------------------------|
| 1. Transfer within department..... ( )     | 9. Retirement..... ( )               |
| 2. Transfer to another department..... ( ) | 10. Separation by death..... ( )     |
| 3. Demotion..... ( )                       | 11. Expiration by Temp. Apt..... ( ) |
| 4. Layoff..... ( )                         | 12. Return LWOP..... ( )             |
| 5. Dismissal..... ( )                      | 13. Return from Military Lv..... ( ) |
| 6. Leave without pay..... ( )              | 14. Change of Name..... ( )          |
| 7. Suspension..... (x)                     | 15. Change in Salary..... ( )        |
| 8. Resignation..... ( )                    | 16.                                  |

ITEMS AFFECTED BY ACTION	FROM	TO
Department (Items 1 & 2)		
Classification & Salary (Items 1,2,3)		
Dates (Items 6 & 7)	<u>Fifteen calendar days</u>	<u>04/08/94</u>
Name (Item 14)		
Amount (Item 15)		
Other (Item 16)		
Funds are available <u>Rough E. Austin</u>	Disbursing Officer	Date <u>4-12-94</u>

Explanation and remarks (Give reason for any action which is not self-explanatory)

To reflect on payroll dated 04/29/94

(Signed)

Emily Folmar  
 Appointing Authority

Date APR 14 1994

2. R.W. Grier  
 R.W. Grier, Fire Chief

Date April 11, 1994

3.

Date

4.

Barbara M. Montague  
 Personnel Director

Date APR 15 1994

PER. FORM 35

Revised 10/93

Certified Mail

Return Receipt Requested

Date March 29, 1994

### NOTIFICATION OF SUSPENSION

Firefighter L. M. Hartwell

(Employee's Name)

3006-E Southmall Circle

(Street Address)

Montgomery, Alabama 36117

(City)

(State)

(Zip)

This is to notify you that as of this date, you are herewith suspended without pay for the period of FIFTEEN

calendar days.

The reason(s) for this suspension is (are) *(List all charges – attach additional sheets as required):*

See Attached Sheet

Previous record considered *(List all actions considered – attach additional sheets as required):*

See Attached Sheet

Suspensions in excess of 30 calendar days in any fiscal year may be appealed to the Personnel Board. Suspensions of 30 calendar days or less may not be appealed to the Personnel Board except as may be otherwise provided in Personnel Rules and Regulations, Rule VIII, Section 12 and Rule VII, Section 12 or 13.

A permanent employee who has received a suspension appealable under Personnel Rules and Regulations may answer these charges within three (3) days from the date of receipt of the notification of suspension by responding in writing to the Appointing Authority and providing a copy to the Personnel Director in Room 224, City Hall.

Within ten (10) days from the time for filing your answer, you may file a written request with the Personnel Director for a hearing before the Personnel Board.

Consult the Montgomery City-County Personnel Board, Room 224, City Hall relative to any other rights you have under the Merit System Law.

R. W. Drier

Department Head/Appointing Authority

Fire Chief

Title



M E M O R A N D U M

TO: Chief Wayne Grier  
Montgomery Fire Department

FROM: *Jim Buckalew*  
James E. Buckalew  
Executive Assistant to the Mayor

DATE: March 17, 1994

RE: SUSPENSION OF FIREFIGHTER L. M. HARTWELL

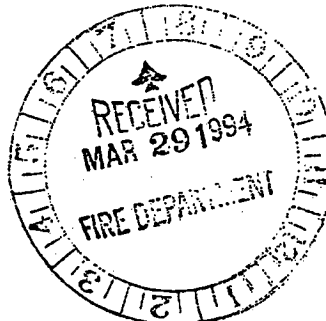
This office accepts Firefighter Hartwell's waiver to his right to appear for a hearing.

The Mayor concurs in your recommendation to suspend Firefighter L. M. Hartwell for fifteen (15) days for the reasons stated in your memorandum dated March 15, 1994. Please prepare the necessary personnel forms and forward them to this office for approval.

Approved:

*Emory Folmar*  
Emory Folmar, Mayor

JEB/edm



FIREFIGHTER L. M. HARTWELL:

In violation of the rules and regulations governing the Montgomery Fire Department:

ARTICLE XI:

Section 1101(p) - Members shall: Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

Section 1103(a) - Members shall not: Neglect or fail to perform any portion of their duties required by rule, regulation, order, common practice, or the necessities of the situation involved.

Also prior record considered.

Form 10

Submit in Triplicate

**CITY AND COUNTY OF MONTGOMERY  
PERSONNEL DEPARTMENT  
RECOMMENDATION FOR PERSONNEL ACTION**

Department/Division Montgomery Fire Dept. 6400 Date January 7, 1994  
 Name of Employee Lee M. Hartwell Effective Date January 8, 1994  
 Social Security # 421-98-4645 Classification Firefighter Job Code 8010

Item 2 requires the signature of both department heads.

Items 2, 3, 4, 5, 6, 15 require approval of Personnel Director before action is official. Items 3, 4, 5, 7 must have copy of letter to employee attached. Item 8 should have copy of letter of resignation.

- |  |                                      |
|--|--------------------------------------|
| 1. Transfer within department..... ( )     | 9. Retirement..... ( )               |
| 2. Transfer to another department..... ( ) | 10. Separation by death..... ( )     |
| 3. Demotion..... ( )                       | 11. Expiration by Temp. Apt..... ( ) |
| 4. Layoff..... ( )                         | 12. Return LWOP..... ( )             |
| 5. Dismissal..... ( )                      | 13. Return from Military Lv..... ( ) |
| 6. Leave without pay..... ( )              | 14. Change of Name..... ( )          |
| 7. Suspension..... (XX)                    | 15. Change in Salary..... ( )        |
| 8. Resignation..... ( )                    | 16.                                  |

**ITEMS AFFECTED BY ACTION****FROM****TO**

Department  
(Items 1 & 2)

Classification & Salary  
(Items 1,2,3)

Dates  
(Items 6 & 7)

Five Calendar days01/08/9401/12/94

Name  
(Item 14)

Amount  
(Item 15)

Other  
(Item 16)

Funds are available

Roger L. Austin  
Disbursing Officer

Date 01-10-94

Explanation and remarks (Give reason for any action which is not self-explanatory)

To reflect on payroll dated 01/21/94

(Signed) 1.

158

Emily Tolman  
Authority

Date JAN 10 1994

2.

R.W. Grier  
R.W. Grier, Fire Chief

Date January 8, 1994

3.

Date

4.

Barbara M. Montoya

Personnel Director

Date JAN 13 1994

FORM 34

Date: December 20, 1993

Certified Mail  
Return Receipt Requested

NOTIFICATION OF SUSPENSION

Firefighter L. M. Hartwell  
3006-E Southmall Circle  
Montgomery, Alabama 36117

This is to notify you that as of this date you are herewith suspended without pay for the period of five calendar days.

The reason(s) for this suspension is (are):

See Attached Sheet

Suspensions in excess of 30 calendar days in any fiscal year may be appealed to the Personnel Board. Suspensions of 30 calendar days or less may not be appealed to the Personnel Board except as may be otherwise provided in Personnel Rules and Regulations, Rule VIII, Section 12 and Rule VII, Section 12 or 13.

A permanent employee who has received a suspension appealable under Personnel Rules and Regulations may answer these charges within three (3) days from the date of receipt of the notification or suspension by responding in writing to the department head and providing a copy to the Personnel Board in Room 226, City Hall.

Within ten (10) days from the time of filing your answer, you may file a written request with the Personnel Director for a hearing before the Personnel Board.

Consult the Montgomery City-County Personnel Board, Room 226, City Hall relative to any other rights you have under the Merit System Law.

R.W. Smith  
Department Head

December 20, 1993  
Title

FIREFIGHTER L. M. HARTWELL:

In violation of the rules and regulations governing the Montgomery Fire Department:

ARTICLE XI:

Section 1101(p) - Members shall: Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

Section 1103(a) - Members shall not: Neglect or fail to perform any portion of their duties required by rule, regulation, order, common practice, or the necessities of the situation involved.

Also prior record considered.

MEMORANDUM

TO: Mayor Emory Folmar  
FROM: Fire Chief R. W. Grier *R.W.G.*  
DATE: December 15, 1993  
RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

*TO Proceed*

This is the first step in a three step disciplinary process to correct the problem with firefighters who are habitually overweight.

The first step is a five day recommendation for suspension.

The second step is a fifteen day recommendation for suspension.

The third step is a recommendation of termination of employment.

All employees have been found medically sound for this program and all programs in the fire service.

RWG:fb

Attachments

cc: Mr. Buckalew



MEMORANDUM

TO: Mayor Emory Folmar  
FROM: Fire Chief R. W. Grier *R.W.G.*  
DATE: December 15, 1993  
RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

This is the first step in a three step disciplinary process to correct the problem with firefighters who are habitually overweight.

The first step is a five day recommendation for suspension.

The second step is a fifteen day recommendation for suspension.

The third step is a recommendation of termination of employment.

All employees have been found medically sound for this program and all programs in the fire service.

RWG:fb

Attachments

cc: Mr. Buckalew

MEMORANDUM

TO: Fire Chief R. W. Grier  
FROM: Deputy Chief J. L. Fulmer *J.L.F.*  
DATE: December 9, 1993  
RE: Firefighter L. M. Hartwell  
Disciplinary Action

Firefighter L. M. Hartwell had his body fat weight re-established and was found to be overweight. His body fat was 22.288. This places him 2.288 percent over his maximum body fat percentage.

Firefighter Hartwell has been told that on the body fat program he must keep his weight at twenty per cent or under at all times.

I am charging him with the following violations;

ARTICLE XI:

Section 1101(p) - Members shall: Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

Section 1103(a) - Members shall not: Neglect or fail to perform any portion of their duties required by rule, regulation, order, common practice, or the necessities of the situation involved.

I am recommending that he be suspended for five calendar days without pay.

JLF:fb



FORM 30

CITY OF MONTGOMERY  
DEPARTMENTAL DISCIPLINARY HEARING

TO: FIREFIGHTER L. M. HARTWELL

Please be advised that a departmental hearing has been scheduled for the 15 day of December, 1993 at 0800 o'clock 1 .m. at the Fire Chief's Office before Fire Chief R. W. Grier for the propose of considering your:

         Demotion from                                  to                                 

         Dismissal

  X   Suspension for FIVE days

as an employee of the MONTGOMERY FIRE DEPARTMENT upon the following grounds:  
(use additional sheets as necessary)

See Attached Sheet

You may be present, if you desire. You may respond in writing and/or orally at the time of the hearing. You may present any witnesses or evidence concerning the above grounds.

This hearing and action taken as a result of same, shall not effect your rights, if any, which you may have for appeal or review under any personnel regulations or statutes.

J. L. Fulmer

Department Head

The above was read in full and a copy offered the employee on the 9th day of December, 19 93.

THE EMPLOYEE:

  ✓   Accepted a copy of same and acknowledged receipt thereof.

         Accepted a copy but would not acknowledge receipt.

         Refused to accept a copy.

Signed: J. L. Fulmer

Witnessed: R. A. Wallace

I herewith acknowledge receipt of this notification of said charges and of the hearing thereon.

Employee: L. M. Hartwell

FIREFIGHTER L. M. HARTWELL:

In violation of the rules and regulations governing the Montgomery Fire Department:

ARTICLE XI:

Section 1101(p) - Members shall: Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

Section 1103(a) - Members shall not: Neglect or fail to perform any portion of their duties required by rule, regulation, order, common practice, or the necessities of the situation involved.

Also prior record considered.

HUMAN PERFORMANCE LABORATORY

UBURN UNIVERSITY AT MONTGOMERY

R. HANK WILLIFORD, DIRECTOR

PHONE 205-244-3548

ESTERS INITIALS

W

ORGANIZATION

IFD

THE NAME IS

LEE M HARTWELL

THE DATE IS

1 DEC 1993

THE WEIGHT IN KG IS

66.8181819

THE WEIGHT IN POUNDS

147.1

THE AGE IS

19

THE BODY DENSITY IS

1.04809017

THE WEIGHT IN WATER IS

13.55

THE RESIDUAL VOLUME IS

1.7

THE PERCENT FAT IS

22.2876107

THE POUNDS OF FAT ARE

32.5693363

THE LEAN BODY MASS IS

114.430664

THE BODY FAT PERCENTAGE WAS COMPUTED BY HYDROSTATIC WEIGHING

AVERAGE VALUES FOR COLLEGE AGE MALES ARE 15%

AVERAGE VALUES FOR COLLEGE AGE FEMALES ARE 23%

IF THERE ARE ANY QUESTIONS PLEASE CONTACT THE HUMAN PERFORMANCE LABORATORY AT 271-9472

THE WEIGHT AT 20% FAT IS

115.53833

THE WEIGHT AT 24% FAT

119.303505

PREPARED 9/09/93, RR685L C MERIT INCREASES BEGINNING 9/10/93 ENDING 9/23/93 AND PAYABLE 10/01/93. PAGE 52

DEPARTMENT:	NAME	S.S. #	POSITION	CURRENT STEP	CURRENT RATE	OLD B/W	REVIEW DATE	PAY GRADE	NEW STEP	NEW RATE	SCH HRS	NEW B/W	ANNUAL SALARY
	HARTWELL, LEE M	421-98-4645	08010	7	6.6784		9/09/94	241	08	6.9434	B		20,821.

THE EMPLOYEES WHOSE NAMES APPEAR ON THIS LIST WILL RECEIVE THEIR MERIT INCREASE/LONGEVITY INCREASE ON THE DATE INDICATED.

DATE: 09-14-93.....  
CC: PERSONNEL  
PAYROLL

APPROVED: *J. H. Selman*  
SIGNATURE OF DEPARTMENT HEAD

PREPARED 8/27/92, PR685L MERIT INCREASES BEGINNING 9/11/92 ENDING 9/24/92 AND PAYABLE 10/02/92

PAGE 36

DEPARTMENT:	NAME	S.S. #	POSITION	CURRENT STEP	CURRENT RATE	OLD B/W	REVIEW DATE	PAY GRADE	NEW STEP	NEW RATE	SCH HRS	NEW B/W	ANNUAL SALARY
	HARTWELL, LEE M	421-98-4645	08010	6	6.1987		9/10/93	241	07	6.4117	C		19,226.

THE EMPLOYEES WHOSE NAMES APPEAR ON THIS LIST WILL RECEIVE THEIR MERIT INCREASE/LONGEVITY INCREASE ON THE DATE INDICATED.

DATE: 09-11-92.....  
CC: PERSONNEL  
PAYROLLAPPROVED: *Paul G. Smith*  
SIGNATURE OF DEPARTMENT HEAD

C

PREPARED 8/29/91, PR685L MERIT INCREASES BEGINING 9/13/91 ENDING 9/26/91 AND PAYABLE 10/04/91

PAGE 40

DEPARTMENT:	NAME	S.S. #	POSITION	CURRENT STEP	CURRENT RATE	OLD B/W	REVIEW DATE	PAY GRADE	NEW STEP	NEW RATE	SCH HRS	NEW B/W	ANNUAL SALARY
HARTWELL, LEE M		421-98-4645	08010	✓ 5	✓ 5.9847	✓	9/12/92	241	06	✓ 6.1987	✓ A		18,538.00

THE EMPLOYEES WHOSE NAMES APPEAR ON THIS LIST WILL RECEIVE THEIR MERIT INCREASE/LONGEVITY INCREASE ON THE DATE INDICATED.

DATE: 09-05-91  
CC: PERSONNEL  
PAYROLL

APPROVED: R.W. Grier  
SIGNATURE OF DEPARTMENT HEAD

MONTGOMERY COUNTY  
DEPT. OF HUMAN RESOURCES  
P O BOX 250380  
MONTGOMERY, AL.  
36125-0380

CITY OF MONTGOMERY  
PERSONNEL DEPT  
103 N. PERRY ST  
MTGY

AL 36104

CASE NO.: 51-092275  
DATE: 073191

RE: LEE M HARTWELL  
SSN 421984645  
THOUGHT TO BE EMPLOYED AROUND PRESENTLY

Dear Sir:

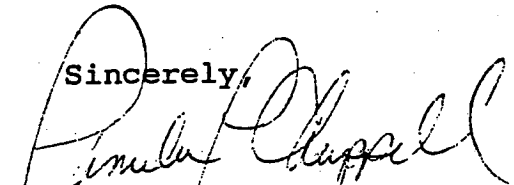
This department will greatly appreciate your assistance in furnishing information regarding the above-named person. Our information is that this person is presently, or was formerly, employed by you.

Our request is made in accordance with Public Law 93-647, Section 454, (42 U.S.C. 654) and the Alabama Child Support Law of 1979, (Code of Ala. 1975 38-10-1 et seq) which requires the use of any available source of information to locate and verify income of absent parents. The Child Support Enforcement Unit is not subject to the restrictions of the Privacy Act (PL93-579& 5 U.S.C. 552a). The information will be used solely for the purpose of enforcing the civil and criminal laws of the State of Alabama regarding child support.

We need your reply to this inquiry at your earliest convenience. Please DO NOT give this letter to the individual. It is important that the information be provided by YOU, the EMPLOYER. If the individual has never been employed by you, please return the form and state that fact. This will keep you from getting a follow-up letter at a later date. A self-addressed envelope is enclosed for your convenience.

If you have any questions concerning this request, please contact me at 284-3850. In the event this matter is heard in court and this information has not been provided to us, your records may be subpoenaed and/or you may be subpoenaed to testify concerning these facts. Thank you for your cooperation.

Sincerely,

  
PAMELA P CHAPPELL  
Child Support Worker

CSW - Chappell

CITY OF MONTGOMERY  
 PERSONNEL DEPT  
 103 N. PERRY ST  
 MTGY AL 36104

RE: LEE M HARTWELL  
 421984645  
 51-092275  
 073191

Please provide as much information as you have regarding the following:

1. Is this person currently employed? YES \_\_\_ NO \_\_\_ If "YES" please answer remaining questions. If "NO" please answer questions 2,3,4,5,8,9,10,12.
2. Current or last known residence address \_\_\_\_\_  
 \_\_\_\_\_
3. Date of birth \_\_\_\_\_ 4. SSN \_\_\_\_\_
5. Length of employment: From \_\_\_\_\_ To \_\_\_\_\_  
 Type of employment: Full-time \_\_\_ Part-time \_\_\_
6. If subject employed at a branch location, what is the address?  
 \_\_\_\_\_
7. Earnings for past year or last period of employment as reflected in withholding statements: \$ \_\_\_\_\_ gross per \_\_\_\_\_.
8. Gross monthly salary \$ \_\_\_\_\_
9. How many tax dependents are claimed? \_\_\_\_\_
10. Union membership: NAME \_\_\_\_\_
11. Does subject have medical coverage on dependents? \_\_\_ YES \_\_\_ NO.  
 If YES, please name company \_\_\_\_\_  
 Premium amount for dependent coverage \$ \_\_\_\_\_ per \_\_\_\_\_
12. If person is no longer with you, was a forwarding address left?  
 \_\_\_ YES \_\_\_ NO If YES please provide address \_\_\_\_\_  
 \_\_\_\_\_

Is there name and address of a friend or relative left to contact?  
 \_\_\_ YES \_\_\_ NO If YES please provide information \_\_\_\_\_  
 \_\_\_\_\_

Was insurance retained? \_\_\_ YES \_\_\_ NO. If YES please provide information  
 \_\_\_\_\_

Signature of person completing form

Date



Form 10

**CITY AND COUNTY OF MONTGOMERY  
PERSONNEL DEPARTMENT  
RECOMMENDATION FOR PERSONNEL ACTION**

Department/Division Montgomery Fire Dept. 6400 Date June 11, 1991  
 Name of Employee Lee M. Hartwell Effective Date June 14, 1991  
 Social Security # 421-98-4645 Classification Firefighter Job Code 8010

Item 2 requires the signature of both department heads.

Items 2, 3, 4, 5, 6, 15 require approval of Personnel Director before action is official. Items 3, 4, 5, 7 must have copy of letter to employee attached. Item 8 should have copy of letter of resignation.

- |   |       |                                   |     |
|---|-------|-----------------------------------|-----|
| 1. Transfer within department .....     | ( )   | 9. Retirement .....               | ( ) |
| 2. Transfer to another department ..... | ( )   | 10. Separation by death .....     | ( ) |
| 3. Demotion .....                       | ( )   | 11. Expiration by Temp. Apt. .... | ( ) |
| 4. Layoff .....                         | ( )   | 12. Return LWOP .....             | ( ) |
| 5. Dismissal .....                      | ( )   | 13. Return from Military Lv ..... | ( ) |
| 6. Leave without Pay .....              | ( )   | 14. Change of Name .....          | ( ) |
| ⑦ Suspension .....                      | (XXX) | 15. Change in Salary .....        | ( ) |
| 8. Resignation .....                    | ( )   | 16.                               |     |

ITEMS AFFECTED BY ACTION	FROM	TO
Department (Items 1 & 2)		
Classification & Salary (Items 1, 2, 3)		
Dates (Items 6 & 7)	15 calendar days	06/14/91
Name (Item 14)		
Amount (Item 15)		
Other (Item 16)		<i>dup</i>

If action is Resignation or Layoff, is Reemployment Recommended? Yes ( ) No ( )

Funds are available Ruth L. Austin Date 6-13-91  
 Disbursing Officer

Explanation and remarks (Give reason for any action which is not self-explanatory)

*To reflect on payrolls dated 06/28/91 and 07/12/91*

(Signed) JEB Emory Tolmar Appointing Authority  
 2. R.W. Grier Fire Chief  
 3. \_\_\_\_\_  
 4. Barbara M. Montague Personnel Director

Date JUN 14 1991  
 Date June 11, 1991  
 Date JUN 20 1991

M E M O R A N D U M

TO: Chief Wayne Grier  
Montgomery Fire Department

FROM: *Grier*  
James E. Buckalew  
Executive Assistant to the Mayor

DATE: June 5 1991

RE: SUSPENSION OF FIREFIGHTER L. M. HARTWELL

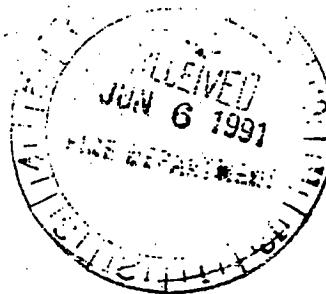
This office accepts Firefighter L. M. Hartwell's waiver to his right to appear for a hearing.

The Mayor concurs in your recommendation to suspend Firefighter Hartwell for fifteen (15) calendar days for the reasons stated in your memorandum dated June 4, 1991. Please prepare the necessary personnel forms and forward them to this office for approval.

Approved:

*Emory Folmar*  
Emory Folmar, Mayor

JEB/edm



FORM 34

Certified Mail  
Return Receipt Requested

Date June 6, 1991

NOTIFICATION OF SUSPENSION

Firefighter L. M. Hartwell  
(Employee's Name)

701 Kimball Street  
(Street Address)

Montgomery, Alabama 36108  
(City) (State) (Zip)

This is to notify you that as of this date, you are herewith suspended  
without pay for the period of fifteen days.

The reason(s) for this suspension is(are):

See Attached Sheet

TO: FIREFIGHTER L. M. HARTWELL

DATE: June 4, 1991

You are herewith notified that I am recommending to the Mayor that you be

☒ Suspended for 15 days

☐ Dismissed

The reasons for this recommendation are:

See Attached Sheet

2.

3.

A hearing will be set by the Mayor to consider this recommendation and the charges. You will be given an opportunity to respond to the recommendation and these charges at this hearing. You will be notified in writing of the hearing date and your rights at said hearing.

MEMORANDUM

TO: Mayor Emory Folmar

FROM: Fire Chief R. W. Grier *R.W.G.*

DATE: June 4, 1991

RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

*TO*  
*Proceed*  
*EMF*

In November, 1989, Firefighter L. M. Hartwell was given the first step of disciplinary action which was a five day suspension. At that time, he was 1.07 percent over his maximum body fat percentage. Firefighter Hartwell was given a fifteen day suspension for being one pound overweight in August, 1990.

This is the second step in a three step disciplinary process to correct the problem with firefighters who are habitually overweight. The second step is a fifteen day recommendation for suspension. Firefighter Hartwell is currently 2-1/2 pounds overweight.

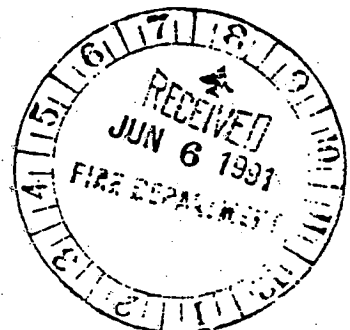
The third step is a recommendation of termination of employment.

I concur with Deputy Chief J. L. Fulmer that Firefighter Hartwell be suspended for fifteen calendar days without pay and attached is a wavier signed by Firefighter Hartwell not wishing to be present at the hearing with you.

RWG:fb

Attachments

cc: Mr. Buckalew



MEMORANDUM

TO: Firefighter L. M. Hartwell  
FROM: Fire Chief R. W. Grier *RWG*  
DATE: June 4, 1991  
RE: Disciplinary Action - Overweight

A policy has been established for weight control and physical exercise in the Montgomery Fire Department. This program has been scrutinized by medical, legal and physical fitness experts. The criteria has been found to be sound and the policy very liberal.

Firefighter Hartwell, you are expected to conform to this as well as all other policies of this organization. There will be no exceptions. I am concurring with Deputy Chief J. L. Fulmer's recommendation for suspension. You will be suspended for fifteen calendar days without pay.

RWG:fb

cc: District Chief R. A. Wallace  
Captain D. W. Wallace  
Lieutenant W. R. Headley  
File

FIREFIGHTER L. M. HARTWELL:

In violation of the rules and regulations governing the Montgomery Fire Department:

ARTICLE XVI:

Section 652(b) - Members shall devote proper attention to the service: Not neglect or fail to perform any portion of their duties required by rule, regulation, order, common practice, or the necessities of the situation involved.

Section 658(a) - Members shall: Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

Also prior record considered.

MEMORANDUM

TO: Deputy Chief J. L. Fulmer  
FROM: Firefighter L. M. Hartwell  
DATE: June 4, 1991  
RE: Disciplinary Hearing with Mayor

I do not wish to be present for my hearing before the Mayor.

  
\_\_\_\_\_  
L. M. Hartwell, Firefighter

Witnessed:

  
\_\_\_\_\_



MEMORANDUM

TO: Firefighter L. M. Hartwell  
FROM: District Chief R. A. Wallace  
DATE: May 2, 1991  
RE: Overweight

On this date you were weighed on the official scales.  
Your weight was 186-1/2 pounds.

Your weight should be 184 pounds or under to meet the  
Department weight standard.

L. M. Hartwell  
L. M. Hartwell, Firefighter

Witnessed:

R. A. Wallace

SWORN TO AND SUBSCRIBED before me on this the 2nd  
day of May, 1991.

Dorlene Driley  
Notary Public

FORM 30

TO: FIREFIGHTER L. M. HARTWELL

Please be advised that a hearing has been scheduled for the 4<sup>th</sup>  
 day of June, 19 91 at 0800 o'clock A.M. at  
 the Fire Chief's Office before Fire Chief R. W. Grier,

for the purpose of considering your:

- ☐ Demotion from \_\_\_\_\_ to \_\_\_\_\_
- ☐ Dismissal
- ☒ Suspension for 15 days

as an employee of the Montgomery Fire Depart-  
 ment upon the following grounds: (use additional sheets as neces-  
 sary)

See Attached Sheet

You may be present, if you desire, and be represented by an Attorney if you desire. You may respond in writing and/or orally at the time of the hearing. You may present any witnesses or evidence concerning the above grounds.

This hearing and action taken as a result of same, shall not affect your rights, if any, which you may have for appeal or review under any personnel regulations or statutes.

J. R. Palmer  
 Appointing Authority

The above was read in full and a copy offered the employee on the  
29<sup>th</sup> day of May, 19 91.

THE EMPLOYEE:

☒ Accepted a copy of same and acknowledged receipt thereof.

☐ Accepted a copy but would not acknowledge receipt.

☐ Refused to accept a copy.

Signed: J. R. PalmerWitness: R. A. Wallace

I herewith acknowledge receipt of this notification of said charges and of the hearing thereon.

Employee: Lee M. Hartwell

FIREFIGHTER L. M. HARTWELL:

In violation of the rules and regulations governing the Montgomery Fire Department:

ARTICLE XVI:

Section 652(b) - Members shall devote proper attention to the service: Not neglect or fail to perform any portion of their duties required by rule, regulation, order, common practice, or the necessities of the situation involved.

Section 658(a) - Members shall: Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

Also prior record considered.

PREPARED 9/04/90, PR685L MERIT INCREASES BEGINNING 9/14/90 ENDING 9/27/90 AND PAYABLE 10/05/90

PAGE 26

DEPARTMENT:	NAME	S.S. #	POSITION	CURRENT STEP	CURRENT RATE	OLD B/W	REVIEW DATE	PAY GRADE	NEW STEP	NEW RATE	SCH HRS	NEW B/W	ANNUAL SALARY
HARTWELL, LEE M		421-98-4645	08010	4	5.6037		9/13/91	241	05	5.8103	A		17,423

THE EMPLOYEES WHOSE NAMES APPEAR ON THIS LIST WILL RECEIVE THEIR MERIT INCREASE/LONGEVITY INCREASE ON THE DATE INDICATED.

DATE: 09-07-90  
CC: PERSONNEL  
PAYROLL

APPROVED: *R. L. Brown*  
SIGNATURE OF DEPARTMENT HEAD

Form 10

**CITY AND COUNTY OF MONTGOMERY  
PERSONNEL DEPARTMENT  
RECOMMENDATION FOR PERSONNEL ACTION**

Department/Division Montgomery Fire Dept. 6400 Date August 8, 1990  
 Name of Employee Lee M. Hartwell Effective Date August 8, 1990  
 Social Security # 421-98-4645 Classification Firefighter Job Code 8010

Item 2 requires the signature of both department heads.

Items 2, 3, 4, 5, 6, 15 require approval of Personnel Director before action is official. Items 3, 4, 5, 7 must have copy of letter to employee attached. Item 8 should have copy of letter of resignation.

- |   |       |                                   |     |
|---|-------|-----------------------------------|-----|
| 1. Transfer within department .....     | ( )   | 9. Retirement .....               | ( ) |
| 2. Transfer to another department ..... | ( )   | 10. Separation by death .....     | ( ) |
| 3. Demotion .....                       | ( )   | 11. Expiration by Temp. Apt. .... | ( ) |
| 4. Layoff .....                         | ( )   | 12. Return LWOP .....             | ( ) |
| 5. Dismissal .....                      | ( )   | 13. Return from Military Lv ..... | ( ) |
| 6. Leave without Pay .....              | ( )   | 14. Change of Name .....          | ( ) |
| 7. Suspension .....                     | ( X ) | 15. Change in Salary .....        | ( ) |
| 8. Resignation .....                    | ( )   | 16.                               |     |

ITEMS AFFECTED BY ACTION	FROM	TO
Department (Items 1 & 2)		
Classification & Salary (Items 1, 2, 3)		
Dates (Items 6 & 7)	15 calendar days    08/08/90	08/22/90
Name (Item 14)		
Amount (Item 15)		
Other (Item 16)		

If action is Resignation or Layoff, is Reemployment Recommended? Yes ( ) No ( ) *Yes*

Funds are available Rough S. Austin Date 8 - 09 - 90  
 Disbursing Officer

Explanation and remarks (Give reason for any action which is not self-explanatory)

To reflect on payrolls dated 08/24 and 09/07/90

(Signed) [Signature] Date AUG 13 1990  
 Appointing Authority  
 2. R.W. Grier Date August 8, 1990  
 R.W. Grier, Fire Chief  
 3. Barbara M. Montague Date AUG 16 1990  
 Personnel Director  
[Signature]

FORM 34

Certified Mail

Return Receipt Requested

Date July 10, 1990NOTIFICATION OF SUSPENSIONFirefighter L. M. Hartwell  
(Employee's Name)701 Kimball Street  
(Street Address)Montgomery, Alabama 36108  
(City) (State) (Zip)

This is to notify you that as of this date, you are herewith suspended  
without pay for the period of fifteen days.

The reason(s) for this suspension is(are):

See Attached Sheet

Suspensions in excess of 30 calendar days in any fiscal year may be appealed to the Personnel Board. Suspensions of 30 calendar days or less may not be appealed to the Personnel Board except as may be otherwise provided in Personnel Rules and Regulations, Rule VIII, Section 12 and Rule VII, Section 12 or 13.

A permanent employee who has received a suspension appealable under Personnel Rules and Regulations may answer these charges within three (3) days from the date of receipt of the notification of suspension by responding in writing to the department head and providing a copy to the Personnel Director in Room 226, City Hall.

Within ten (10) days from the time for filing your answer, you may file a written request with the Personnel Director for a hearing before the Personnel Board.

Consult the Montgomery City-County Personnel Board, Room 226, City Hall relative to any other rights you have under the Merit System Law.

*J. P. Felner* R. 1.6  
Administrator or Department Head

Deputy Fire Chief

Title

M E M O R A N D U M

TO: Chief Wayne Grier  
Montgomery Fire Department  
JEM

FROM: James E. Buckalew  
Executive Assistant to the Mayor

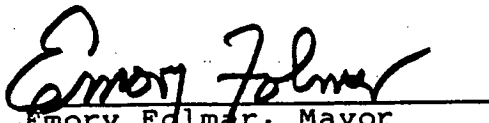
DATE: July 9, 1989

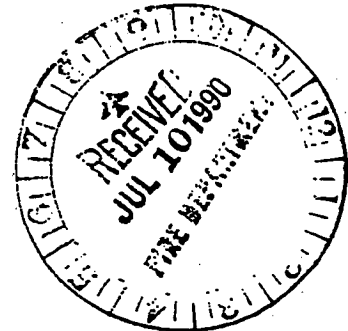
RE: SUSPENSION OF FIREFIGHTER L. M. HARTWELL

This office accepts Firefighter L. M. Hartwell's waiver to his right to appear for a hearing.

The Mayor concurs in your recommendation to suspend Firefighter Hartwell for fifteen (15) calendar days for the reasons stated in your memorandum dated July 6, 1990. Please prepare the necessary personnel forms and forward them to this office for approval.

Approved:

  
Emory Folmar, Mayor  
JEB/edm



MEMORANDUM

TO: Mayor Emory Folmar  
FROM: Fire Chief R. W. Grier *TO: Proceed RWG*  
DATE: July 6, 1990  
RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

In November, 1989, Firefighter L. M. Hartwell was given the first step of disciplinary action which was a five day suspension. At that time, he was 1.07 percent over his maximum body fat percentage.

This is the second step in a three step disciplinary process to correct the problem with firefighters who are habitually overweight. The second step is a fifteen day recommendation for suspension. Firefighter Hartwell is currently one pound overweight.

The third step is a recommendation of termination of employment.

I concur with Deputy Chief J. L. Fulmer that Firefighter Hartwell be suspended for fifteen calendar days without pay and attached is a wavier signed by Firefighter Hartwell not wishing to be present at the hearing with you.

RWG:fb

Attachments

cc: Mr. Buckalew





MEMORANDUM

TO: Firefighter L. M. Hartwell  
FROM: Fire Chief R. W. Grier *R.W.G.*  
DATE: July 6, 1990  
RE: Disciplinary Action - Overweight

In November, 1989, you were given the first step of disciplinary action which was a five day suspension for being overweight. At that time you were 1.07 percent over your maximum body fat percentage.

This is now the second step in the three step disciplinary process to correct the problem with firefighters who are habitually overweight. This second step is a fifteen day recommendation for suspension.

The third and final step is a recommendation of termination of employment with the fire department.

Firefighter Hartwell, you are expected to conform to this policy as well as all other policies of this organization. There will be no exceptions.

I am concurring with Deputy Chief J. L. Fulmer's recommendation for suspension. You will be suspended for fifteen calendar days without pay.

RWG:fb

cc: District Chief K. W. Wallace  
Captain D. W. Wallace  
Lieutenant W. R. Headley  
File

FIREFIGHTER L. M. HARTWELL:

In violation of the rules and regulations governing the Montgomery Fire Department:

ARTICLE XVI:

Section 652(b) - Members shall devote proper attention to the service: Not neglect or fail to perform any portion of their duties required by rule, regulation, order, common practice, or the necessities of the situation involved.

Section 658(a) - Members shall: Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

Also prior record considered.

TO: Firefighter L. M. Hartwell

DATE: July 6, 1990

You are herewith notified that I am recommending to the Mayor that you be

☒ Suspended for 15 days

☐ Dismissed

The reasons for this recommendation are:

1.

See Attached Sheet

2.

3.

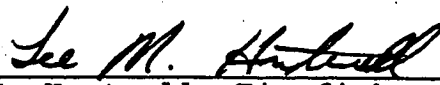
A hearing will be set by the Mayor to consider this recommendation and the charges. You will be given an opportunity to respond to the recommendation and these charges at this hearing. You will be notified in writing of the hearing date and your rights at said hearing.

R.W. Grun  
Department Head

MEMORANDUM

TO: Deputy Chief J. L. Fulmer  
FROM: Firefighter L. M. Hartwell  
DATE: July 6, 1990  
RE: Disciplinary Hearing with Mayor

I do not wish to be present for my hearing before the Mayor.

  
\_\_\_\_\_  
L. M. Hartwell, Firefighter

Witnessed:

  
\_\_\_\_\_

TO: FIREFIGHTER L. M. HARTWELL

Please be advised that a hearing has been scheduled for the 6<sup>th</sup>  
day of July, 19 90 at 1600 o'clock PM at  
the Fire Chief's Office before Fire Chief R. W. Grier.

for the purpose of considering your:

- ☐ Demotion from \_\_\_\_\_ to \_\_\_\_\_  
☐ Dismissal  
☒ Suspension for 15 days

as an employee of the Montgomery Fire Depart-  
ment upon the following grounds: (use additional sheets as neces-  
sary)

See Attached Sheet

You may be present, if you desire, and be represented by an Attorney if you desire. You may respond in writing and/or orally at the time of the hearing. You may present any witnesses or evidence concerning the above grounds.

This hearing and action taken as a result of same, shall not affect your rights, if any, which you may have for appeal or review under any personnel regulations or statutes.

James R. Lilmer  
Appointing Authority

The above was read in full and a copy offered the employee on the  
3<sup>rd</sup> day of July, 19 90.

THE EMPLOYEE:

☒ Accepted a copy of same and acknowledged receipt thereof.

☐ Accepted a copy but would not acknowledge receipt.

☐ Refused to accept a copy.

Signed: James R. Lilmer

Witness: [Signature]

I herewith acknowledge receipt of this notification of said charges and of the hearing thereon.

Employee: L. M. Hartwell

MEMORANDUM

TO: Fire Chief R. W. Grier  
FROM: Deputy Chief J. L. Fulmer *JLF*  
DATE: June 30, 1990  
RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

Firefighter L. M. Hartwell was weighed on the official scale this date and found to weigh 185 pounds. His maximum weight is 184 pounds. He is one pound over his maximum weight.

Firefighter Hartwell weighed 183 pounds when weighed in June, 1990.

This is his second failure in a twelve month period to meet the department's standard weight requirement. This failure places him in violation of the following sections of department's rules and regulations:

ARTICLE XVI:

Section 652(b) - Members shall devote proper attention to the service: Not neglect or fail to perform any portion of their duties required by rule, regulation, order, common practice, or the necessities of the situation involved.

Section 658(a) - Members shall: Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

I am recommending that Firefighter Hartwell be suspended for fifteen calendar days.

JLF:fb

MEMORANDUM

TO: L.M. Hartwell, Firefighter

FROM: D.H. Salzburn, Captain *DHS*

DATE: June 30, 1990

RE: Overweight

You were weighed on the District scales and found to be overweight.

You were then weighed on the official scales and found to be overweight. Your weight on the official scales was 185 lbs.. This is 1 lb. above your maximum weight.

You have been directed that you must keep your weight below your maximum at all times. You have failed to meet this directive.

*Max* 184  
*June* 183

**FIREFIGHTER L. M. HARTWELL:**

In violation of the rules and regulations governing the Montgomery Fire Department:

**ARTICLE XVI:**

Section 652(b) - Members shall devote proper attention to the service: Not neglect or fail to perform any portion of their duties required by rule, regulation, order, common practice, or the necessities of the situation involved.

Section 658(a) - Members shall: Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

Also prior record considered.



Submit in Triplicate

**CITY AND COUNTY OF MONTGOMERY  
PERSONNEL DEPARTMENT  
RECOMMENDATION FOR PERSONNEL ACTION**

Department/Division Montgomery Fire Dept. 6400 Date December 5, 1989Name of Employee Lee M. Hartwell 421-98-4645 Effective Date December 5, 1989Classification Firefighter Job Code 8010

Item 2 requires the signature of both department heads.

Items 2, 3, 4, 5, 6, 15 require approval of Personnel Director before action is official. Items 3, 4, 5, 7 must have copy of letter to employee attached. Item 8 should have copy of letter of resignation.

- |   |                                       |
|---|---------------------------------------|
| 1. Transfer within department. .... ( )     | 9. Retirement ..... ( )               |
| 2. Transfer to another department ..... ( ) | 10. Separation by death ..... ( )     |
| 3. Demotion ..... ( )                       | 11. Expiration of Temp. Apt. .... ( ) |
| 4. Layoff. .... ( )                         | 12. Return LWOP ..... ( )             |
| 5. Dismissal ..... ( )                      | 13. Return from Military Lv ..... ( ) |
| 6. Leave without Pay. .... ( )              | 14. Change in Name ..... ( )          |
| 7. Suspension ..... (x)                     | 15. Change in Salary ..... ( )        |
| 8. Resignation. .... ( )                    | 16. ....                              |

**ITEMS AFFECTED BY ACTION****FROM****TO**Department  
(Items 1 & 2)Classification & Salary  
(Items 1, 2, 3)Dates  
(Items 6 & 7) 5 calendar days 12/05/89 12/09/89Name  
(Item 14)Amount  
(Item 15)Other  
(Item 16)

If Action is Resignation or Layoff, is Reemployment Recommended? Yes ( ) No ( )

Funds are available R. W. Grier Date 12-07-89  
Disbursing Officer

Explanation and remarks (Give reason for any action which is not self-explanatory)

To reflect on payrolls dated 12/15/89 and 12/29/89

(Signed) 1. Emory Tolman Date DEC 07 1989  
Appointing Authority

2. R. W. Grier Date December 5, 1989  
R.W. Grier, Fire Chief

3. \_\_\_\_\_ Date \_\_\_\_\_

4. Barbara M. Montoya Date DEC 8 - 1989  
Personnel Director

FORM 34

Certified Mail  
Return Receipt Requested

Date November 28, 1989

NOTIFICATION OF SUSPENSION

Firefighter L. M. Hartwell  
(Employee's Name)

701 Kimball Street  
(Street Address)

Montgomery, Alabama 36108  
(City) (State) (Zip)

This is to notify you that as of this date, you are herewith suspended  
without pay for the period of five days.

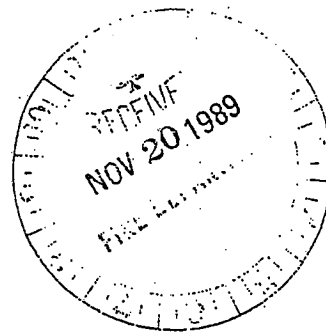
The reason(s) for this suspension is(are):

See Attached Sheet

Suspensions in excess of 30 calendar days in any fiscal year may be  
appealed to the Personnel Board. Suspensions of 30 calendar days or  
less may not be appealed to the Personnel Board except as may be  
otherwise provided in Personnel Rules and Regulations, Rule VIII,  
Section 12 and Rule VII, Section 12 or 13.

A permanent employee who has received a suspension appealable under  
Personnel Rules and Regulations may answer these charges within three  
(3) days from the date of receipt of the notification of suspension  
by responding in writing to the department head and providing a copy  
to the Personnel Director in Room 226, City Hall.

Within ten (10) days from the time for filing your answer, you may  
file a written request with the Personnel Director for a hearing  
before the Personnel Board.



## MEMORANDUM

TO: Mayor Emory Folmar

FROM: Fire Chief R. W. Grier *R.W.G.*

DATE: November 17, 1989

RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

*TD*  
*Proceed*  
*SM*

This is the first step in a three step disciplinary process to correct the problem with firefighters who are habitually overweight.

The first step is a five day recommendation for suspension.

The second step is a fifteen day recommendation for suspension.

The third step is a recommendation of termination of employment.

All employees have been found medically sound for this program and all programs in the fire service.

RWG:fb

Attachments

cc: Mr. Buckalew

FIREFIGHTER L. M. HARTWELL

In violation of the rules and regulations governing the Montgomery Fire Department:

ARTICLE XVI:

Section 652(b) - Members shall devote proper attention to the service: Not neglect or fail to perform any portion of their duties required by rule, regulation, order, common practice, or the necessities of the situation involved.

Section 658(a) - Members shall: Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

Also prior record considered.

MEMORANDUM

TO: Mayor Emory Folmar  
FROM: Fire Chief R. W. Grier *R.W.G.*  
DATE: November 17, 1989  
RE: Firefighter L. M. Hartwell  
Disciplinary Action - Overweight

This is the first step in a three step disciplinary process to correct the problem with firefighters who are habitually overweight.

The first step is a five day recommendation for suspension.

The second step is a fifteen day recommendation for suspension.

The third step is a recommendation of termination of employment.

All employees have been found medically sound for this program and all programs in the fire service.

RWG:fb

Attachments

cc: Mr. Buckalew

MEMORANDUM

TO: Fire Chief R. W. Grier  
FROM: Deputy Chief J.L. Fulmer *J.L.F.*  
DATE: November 9, 1989  
RE: Firefighter L. M. Hartwell  
Disciplinary Action

Firefighter L. M. Hartwell had his body fat weight re-established and was found to be overweight. His body fat was 21.07. This places him 1.07 percent over his maximum body fat percentage.

Firefighter Hartwell's body fat percent was less than 20 percent when he was weighed in October, 1989.

Firefighter Hartwell has been told that he must keep his weight at or under his maximum at all times.

I am charging him with violation of the following rules and regulations:

ARTICLE XVI:

Section 652(b) - Members shall devote proper attention to the service: Not neglect or fail to perform any portion of their duties required by rule, regulations, order, common practice, or the necessities of the situation involved.

Section 658(a) - Members shall: Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

I am recommending that he be suspended for five calendar days without pay.

JLF:fb

MEMORANDUM

TO: Firefighter L. M. Hartwell  
FROM: Fire Chief R. W. Grier *R.W.G.*  
DATE: November 17, 1989  
RE: Disciplinary Action - Overweight

A policy has been established for weight control and physical exercise in the Montgomery Fire Department. This program has been scrutinized by medical, legal and physical fitness experts. The criteria has been found to be sound and the policy very liberal.

Firefighter Hartwell, you are expected to conform to this as well as all other policies of this organization. There will be no exceptions. I am concurring with Deputy Chief J. L. Fulmer's recommendation for suspension. You will be suspended for five calendar days without pay.

RWG:fb

cc: District Chief K. W. Wallace  
Captain F. C. Sloan  
Lieutenant W. R. Headley  
File

*L. M. Hartwell 191 (68") use 184 now*

HUMAN PERFORMANCE LABORATORY

UNIVERSITY AT MONTGOMERY

DR. ANN WILLIFORD, DIRECTOR

PHONE 271-9542

THE NAME IS  
L. M. HARTWELL

THE DATE IS  
11-11-06

THE WEIGHT IN KG IS  
181.81311

THE WEIGHT IN POUNDS  
180.5

THE AGE IS  
25

THE BODY DENSITY IS  
1.0736107

THE WEIGHT 11% FAT IS  
181.81311

THE RESIDUAL VOLUME IS  
1.11

THE PERCENT FAT IS  
11.1111111

THE POUNDS OF FAT ARE  
181.81311

THE LEAN BODY MASS IS  
143.704594

THE 10% FAT PERCENTAGE WAS COMPUTED BY HYDROSTATIC WEIGHING

- RANGE VALUES FOR COLLEGE AGE MALES ARE 10%

- RANGE VALUES FOR COLLEGE AGE FEMALES ARE 20%

IF THERE ARE ANY QUESTIONS PLEASE CONTACT THE HUMAN PERFORMANCE LABORATORY AT 271-9542

THE WEIGHT AT 20% FAT IS  
183.960745

THE WEIGHT AT 24% FAT  
185.769202



TO: FIREFIGHTER L. M. HARTWELL

Please be advised that a hearing has been scheduled for the 17<sup>th</sup> day of November, 1989 at 1100 o'clock A.M. at at the Fire Chief's Office before Fire Chief R. W. Grier,

for the purpose of considering your:

- ☐ Demotion from \_\_\_\_\_ to \_\_\_\_\_
- ☐ Dismissal
- ☒ Suspension for five days

as an employee of the Montgomery Fire Department upon the following grounds: (use additional sheets as necessary)

See Attached Sheet

You may be present, if you desire, and be represented by an Attorney if you desire. You may respond in writing and/or orally at the time of the hearing. You may present any witnesses or evidence concerning the above grounds.

This hearing and action taken as a result of same, shall not affect your rights, if any, which you may have for appeal or review under any personnel regulations or statutes.

J. R. Fulmer  
Appointing Authority

The above was read in full and a copy offered the employee on the 14<sup>th</sup> day of November, 19 89.

THE EMPLOYEE:

☒ Accepted a copy of same and acknowledged receipt thereof.

☐ Accepted a copy but would not acknowledge receipt.

☐ Refused to accept a copy.

Signed: J. R. Fulmer

Witness: W. H. Safford

I herewith acknowledge receipt of this notification of said charges and of the hearing thereon.

Employee: Lee M. Hartwell

FIREFIGHTER L. M. HARTWELL

In violation of the rules and regulations governing the Montgomery Fire Department:

ARTICLE XVI:

Section 652(b) - Members shall devote proper attention to the service: Not neglect or fail to perform any portion of their duties required by rule, regulation, order, common practice, or the necessities of the situation involved.

Section 658(a) - Members shall: Refrain from immoral conduct, deception, violation or evasion of law or official rule, regulation or order.

Also prior record considered.

MEMORANDUM

TO: L.M. Hartwell, Firefighter  
FROM: K.W. Wallace, District Chief  
DATE: November 8, 1989  
RE: Overweight

You were weighed on the District scales and found to be overweight.

You were then weighed on the official scales and found to be overweight. Your weight on the official scales was 196. This is 12 lbs. above your maximum weight.

You have been directed that you must keep your weight below your maximum at all times. You have failed to meet this directive.

*He is on body fat program*

PAGE 18

PREPARED 9/12/89, PR685L MERIT INCREASES BEGINNING 9/15/89 ENDING 9/28/89 AND PAYABLE 10/06/89

DEPARTMENT: NAME 64 00

HARTWELL, LEE M

421-98-4645 08010

S.S. # POSITION CURRENT STEP

3 5.2378 15,706

OLD B/W

REVIEW DATE

9/14/90 241

NEW STEP

04

NEW RATE

5.4405

SCH HRS

A

NEW B/W

ANNUAL SALARY

16,314. ✓

THE EMPLOYEES WHOSE NAMES APPEAR ON THIS LIST WILL RECEIVE THEIR MERIT INCREASE/LONGEVITY INCREASE ON THE DATE INDICATED.

DATE: 09-18-89  
CC: PERSONNEL  
PAYROLL

APPROVED:

SIGNATURE OF DEPARTMENT HEAD

R.W. Grier

ybc

fcb

*ylb*  
CITY AND COUNTY OF MONTGOMERY  
PERSONNEL DEPARTMENT  
RECOMMENDATION FOR PERSONNEL ACTION

Department/Division Montgomery Fire Dept. 6400 Date March 24, 1987

Name of Employee Lee M. Hartwell 421-98-4645 Effective Date March 10, 1987

Classification Firefighter Job Code 8010

Item 2 requires the signature of both department heads.

Items 2, 3, 4, 5, 6, 15 require approval of Personnel Director before action is official. Items 3, 4, 5, 7 must have copy of letter to employee attached. Item 8 should have copy of letter of resignation.

- |   |                                       |
|---|---------------------------------------|
| 1. Transfer within department. .... ( )     | 9. Retirement ..... ( )               |
| 2. Transfer to another department ..... ( ) | 10. Separation by death ..... ( )     |
| 3. Demotion ..... ( )                       | 11. Expiration of Temp. Apt. .... ( ) |
| 4. Layoff. .... ( )                         | 12. Return LWOP ..... ( )             |
| 5. Dismissal ..... ( )                      | 13. Return from Military Lv ..... ( ) |
| 6. Leave without Pay. .... ( )              | 14. Change in Name ..... ( )          |
| 7. Suspension ..... ( )                     | 15. Change in Salary ..... ( )        |
| 8. Resignation ..... ( )                    | 16. Status Change ..... ( X )         |

ITEMS AFFECTED BY ACTION

FROM

TO

Department  
(Items 1 & 2)

Classification & Salary  
(Items 1, 2, 3)

Dates  
(Items 6 & 7)

Name  
(Item 14)

Amount  
(Item 15)

Other  
(Item 16)

Temporary

Permanent

If Action is Resignation or Layoff, is Reemployment Recommended? Yes ( ) No ( )

Funds are available

*Ray L. Austin*  
Disbursing Officer

Date

3-24-87

Explanation and remarks (Give reason for any action which is not self-explanatory)

*A*  
Completed Recruit School and Probationary Period

(Signed) 1. \_\_\_\_\_ Date \_\_\_\_\_  
Appointing Authority

2. *R.W. Grier* Date March 24, 1987  
R.W. Grier, Fire Chief

3. \_\_\_\_\_ Date \_\_\_\_\_

4. *Barbara M. Montoya* Date 3-26-87  
Personnel Director

FORM 5

Submit in Triplicate

**CITY AND COUNTY OF MONTGOMERY  
PERSONNEL DEPARTMENT  
PERSONNEL REQUISITION, CERTIFICATION, AND APPOINTMENT**

**REQUISITION**

To: Personnel Department

Date September 11, 1986

Please certify the names of persons eligible for the following position:

Title	Compensation	Justification for additional step(s)	Temporary	Permanent
Firefighter	\$13,145 504.09 4.3834			

(X) Replacement of Earl D. Wilson ( Resigned )  
( ) New Position

Date \_\_\_\_\_ Signature \_\_\_\_\_  
Appointing Authority

Funds are available Dale T. Lane Date 9/19/86  
Disbursing Officer

**CERTIFICATION TO:****FIRE DEPARTMENT**

In response to your request, the names of the following persons who are eligible for appointment are hereby certified. In making appointments, it is advisable, though not essential, that you interview all eligible persons certified.

Name	Address	Phone	Age	Grade
Lee M. Hartwell	701 Kimball Street	264-2104	20	Qualified
Kenneth L. Williams	5053 Yellow Pine Drive	281-7503	22	Qualified
Rickey L. Corkren	3902 Beardsley Drive	272-4872	31	Qualified
Dean A. Pearce	RT. 3, Country Club Apts #D Lanett, Alabama 36863	N/A	23	Qualified
Jerome Wiley	3357-D Gaston Avenue	265-7340	25	Qualified

**APPOINTMENT**

TO: Personnel Department

From Montgomery Fire Dept.  
Department

From the certification above, the following person has been appointed:

Name	Effective Date	Temporary	Permanent
Lee M. Hartwell	09-19-86	X	

Appointed by Emory Johnson Date SEP 22 1986  
Appointing Authority

Department Head

Approved by Barbara M. Montoye Date 9-22-86  
Personnel Director

	Accepted	Rejected
Citiz.		
Ed.		
Exp.		
Res.		
Other		

INSTRUCTIONS:  
ALL BLANKS MUST BE  
FILLED IN COMPLETELY

Title of Position:

FIRE FIGHTER

Name: (Type or print name)

Mr. LEE MARVIN HARTWELL Race Black Age 20  
 Mrs. First Middle Last

Address 701 Kimball St. Montgomery AL 36108 Tel. No. 264-2104  
 House No. Street City State Zip

How long have you lived in Alabama immediately prior to date of application 20 11  
 Yr. Mo.

Are you a U.S. citizen? YES

Date of Birth 3/27/64 Place of Birth Montgomery AL State  
 City County

PERSONAL DATA: Height 5 ft. 7 in. Weight 155 lbs. What is the condition of your health? EXCELLENT

Marital Status: Single ☒ Married ☐ Divorced ☐ Widowed ☐ Number of dependents under 18. 0

Do you have any physical handicaps? NO. If so, attach a description to this application. Do you object to having your present employer questioned about your work? NO. Have you ever been discharged or forced to resign from a position? NO. If so, attach a complete explanation to this application. Have you ever been convicted of any law violation other than a minor traffic violation? NO. If so, give name and location of court, date, nature of charge and disposition.

SOCIAL SECURITY NO. 421-98-4645

EDUCATION		Circle Highest Grade you Completed											Date Completed	
Grammar and High School <u>G.E.D.</u>		1	2	3	4	5	6	7	8	9	10	11	12	<u>Aug 84</u>
College or University (name of schools)		1	2	3	4	5	6	7	Degrees					
<u>N/A</u>		Major												
Business, Trade or Correspondence School	Length of Study	Courses Studied							Certificate/Diploma					Date Completed
<u>EARLE C. Clement Job Corp Center.</u> <u>Morganfield, Ky 42437</u>		<u>Diesel Mechanic</u>							<u>Diploma</u>					<u>Feb 2, 1988</u>
List your professional certificate or license.														

List three reliable persons, not relatives or employers, who know you well enough to give information about you:

	Address	Occupation
<u>Mr. JOE WARREN</u>	<u>Route 2 Calhoun, Ky 42327</u>	<u>Diesel Mechanic instructor</u>
<u>Mrs. STINSON</u>	<u>706 Kimball St.</u>	<u>Police Lady</u>
<u>Mrs. CARTER</u>	<u>4100 Birmingham Hwy</u>	<u>Secretary</u>

## WORK HISTORY

This section must be completed regardless of whether or not a resume' is attached.

Beginning with your PRESENT or most recent employment, list in REVERSE ORDER periods of employment. Each time your changed jobs or your title changed should be listed as a separate period. Give complete information, especially about the kind of work you did. (Use extra sheet if necessary). Applicant must be specific and accurate in stating their experience and training for this position. Copies of resume's or other documents become the property of the Personnel Dept. and cannot be returned.

EMPLOYMENT RECORD: List all employment.				
Employment Dates	Official Job Title and Description of Duties	Employer's Name and Address	Salary Received	Reason For Leaving
FROM 83	Diesel Mechanic	EARLE C. Clement	\$41.00 <del>over</del>	Finish
TO 85	Dorck front end Loader	Job Corp Center	two week	the training
TOTAL MOS.	scape	Morgan field, Ky	No. of Hours Worked per week	
16	grader	42437	30 hrs	
FROM 83	maintenance	Montgomery housing	3.35	Summer
TO 83		Authority Bell St.		Program
TOTAL MOS.			No. of Hours Worked per week	
3			30 hrs	
FROM				
TO				
TOTAL MOS.			No. of Hours Worked per week	
FROM				
TO				
TOTAL MOS.			No. of Hours Worked per week	
FROM				
TO				
TOTAL MOS.			No. of Hours Worked per week	
FROM				
TO				
TOTAL MOS.			No. of Hours Worked per week	
FROM				
TO				
TOTAL MOS.			No. of Hours Worked per week	
FROM				
TO				
TOTAL MOS.			No. of Hours Worked per week	

6. Show other experience by using additional sheets.

I hereby certify that all statements made hereon and attached hereto are true and correct to the best of my knowledge. Any false statement may be cause for denying me the right to examination or employment.

21-12-

See M H L M



FORM 10

Submit in Triplicate

**CITY AND COUNTY OF MONTGOMERY  
PERSONNEL DEPARTMENT  
RECOMMENDATION FOR PERSONNEL ACTION**

Department Sanitation Date August 2, 1985  
 Name of Employee Lee M. Hartwell, SS# 421-98-4645. Effective Date August 2, 1985  
 Division Public Works Classification (005003) Classified Laborer

Item 2 requires the signature of both department heads.

Items 2, 3, 4, 5, 6, 15 require approval of Personnel Director before action is official. Items 3, 4, 5, 7 must have copy of letter to employee attached. Item 8 should have copy of letter of resignation.

1. Transfer within department. .... ( )	9. Retirement ..... ( )
2. Transfer to another department ..... ( )	10. Separation by death ..... ( )
3. Demotion ..... ( )	11. Expiration of Temp. Apt. .... ( )
4. Layoff. .... ( )	12. Return LWOP ..... ( )
5. Dismissal ..... ( )	13. Return from Military Lv ..... ( )
6. Leave without Pay. .... ( )	14. Change in Name ..... ( )
7. Suspension ..... ( )	15. Change in Salary ..... ( )
8. Resignation.. <u>See Attached.</u> ..... <u>KX</u> ✓	16. ....

ITEMS AFFECTED BY ACTION

FROM

TO

Department  
(Items 1 & 2)

Classification & Salary  
(Items 1, 2, 3)

Dates  
(Items 6 & 7)

Name  
(Item 14)

Amount  
(Item 15)

Other  
(Item 16)

If Action is Resignation or Layoff, is Reemployment Recommended? Yes ( ) No ( ) to

Funds are available Roger L. Austin Date 8-05-85  
 Disbursing Officer

Explanation and remarks (Give reason for any action which is not self-explanatory)

See Form 100.

(Signed) 1. Emily Folmar Date AUG 05 1985  
 Appointing Authority  
 2. Carl C. Henry Date August 2, 1985  
 Carl C. Henry, Sanitation Superintendent  
 3. \_\_\_\_\_ Date \_\_\_\_\_  
 4. Barbara M. Montoya Kbc Date 8-6-85  
 Personnel Director

CITY OF MONTGOMERY  
DEPARTMENT OF SANITATION  
RESIGNATION / SUSPENSION

NAME LEE M. HARTWELLDATE 02 AUGUST 1985CLASSIFICATION LABORER

☒ THE ABOVE EMPLOYEE HAS HEREBY RESIGNED FROM THIS DEPARTMENT.

☐ THE ABOVE EMPLOYEE HAS HEREBY BEEN SUSPENDED FROM THIS DEPARTMENT FOR A  
PERIOD OF \_\_\_\_\_ WORKING DAYS.

PERIOD OF SUSPENSION:

SUSPENSION IS TO BEGIN \_\_\_\_\_

SUSPENSION WILL EXPIRE \_\_\_\_\_

REASON FOR

RESIGNATION:

LEE M. HARTWELL GAVE A WRITTEN NOTICE OF RESIGNATION FROM EMPLOYMENT WITH  
THIS DEPARTMENT, EFFECTIVE 8-1-85, CITING PERSONAL REASONS.

THIS IS ACCEPTED IN ACCORDANCE WITH CITY AND COUNTY PERSONNEL RULES AND  
REGULATIONS, RULE 9, SECTION 1: RESIGNATION: ANY EMPLOYEE WISHING TO LEAVE THE  
CLASSIFIED SERVICE IN GOOD STANDING, SHALL FILE WITH THE APPOINTING AUTHORITY,  
AT LEAST ONE WEEK BEFORE LEAVING, A WRITTEN RESIGNATION STATING THE EFFECTIVE  
DATE OF THE RESIGNATION AND THE REASON FOR LEAVING. SUCH NOTICE SHALL BE  
PROMPTLY REPORTED TO THE PERSONNEL DIRECTOR.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



SUPERVISOR, B. R. TURNER

8-2-25

I, Lee M. Hartwell, resign  
my job with the Sanitation  
Department, effective 8-2-25 due  
to personal reasons.

Lee M. Hartwell

Harold Bold

J. H. Ralinger  
Safety Director

*Pbc*

CITY AND COUNTY OF MONTGOMERY  
PERSONNEL DEPARTMENT

SOCIAL SECURITY NUMBER 421-98-4645

LABOR SERVICE

APPOINTMENT OF CLASSIFIED LABORER

TO: PERSONNEL DEPARTMENT

FROM: SANITATION DEPARTMENT  
DEPARTMENT

The following person has been appointed: Replacement of Myles McWhorter

NAME	EFFECTIVE DATE	TEMPORARY	PERMANENT
Lee M. Hartwell	7-16-85		X

Rate of Pay \$4.069/hr.

Appointed by

*Emory Johnson*  
Appointing Authority

DATE

JUL 11 1985

*Carl Henry*  
Department Head

Date

7-8-85

Funds are Available

*Luigi S. Anshi*  
Disbursing Officer

Date

7-10-85

Approved

*Barbara M. Montoya*  
Personnel Director

Date

7-11-85

The period of employment of a seasonal or temporary laborer shall not exceed four (4) consecutive months or six (6) months in any twelve month period. After two (2) months of satisfactory employment, a laborer hired on a permanent basis shall have permanent status in the classified service.

REPLACEMENT FOR:

SUBMIT ONE COPY WITH FORM 9

CITY AND COUNTY OF MONTGOMERY  
 "AN EQUAL OPPORTUNITY EMPLOYMENT"  
 PERSONNEL DEPARTMENT

### WORK HISTORY FORM

 POSITION Laborer DEPARTMENT Sanitation DATE 7-16-85

 NAME Lee M. Hartwell SEX Male RACE Black AGE 21

 SOCIAL SECURITY NO. 421-98-4645

 ADDRESS 701 Kimball St. Montg. Ala. TELEPHONE NO. 264-2104

 DATE OF BIRTH 3-27-64 HEIGHT 5'7" WEIGHT 165 lbs. HEALTH Good

 DO YOU HAVE ANY PHYSICAL HANDICAPS? IF SO, GIVE DETAILS No

 CIRCLE HIGHEST GRADE COMPLETED IN SCHOOL 1 2 3 4 5 6 7 8 9 10 11 12 College ( ) yrs.

Beginning with your PRESENT employment, list in REVERSE ORDER periods of employment. Each time you left the CITY or COUNTY and returned should be listed as a separate period.

PRESENT EMPLOYMENT	DEPARTMENT	EMPLOYMENT BEGAN	EMPLOYMENT ENDED	WORKED HOW LONG
City of Montgomery	Sanitation	7-16-85		
Central Alabama Roofing & Metal Co.	Roof Repair	3-01-85	7-08-85	4 months
Job Corp.	(School)	10-18-83	2-27-85	16 months
Montg. Housing Authority	Maintenance	6-83	8-83	2 months